ENCLOSURE 2

- PM2.5 State Implementation Plan and Appendices
- Public Process Documentation

ADEQ
Arizona Department of Environmental Quality

Arizona Infrastructure State Implementation Plan for the 2012 Fine Particulate Matter ($PM_{2.5}$) National Ambient Air Quality Standard

Air Quality Division
December 11, 2015 Final

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[Appendix A: Additional State and County Rules Supporting Arizona's $PM_{2.5}$ SIP Infrastructure]

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1 Introduction

Clean Air Act (CAA) Section 110(a)(1) requires states to submit State Implementation Plans (SIPs) within three years following the promulgation of new or revised National Ambient Air Quality Standards (NAAQS) to provide for implementation, maintenance, and enforcement of such standards.

Each of these SIPs must address certain basic elements of its air quality management programs under CAA Section 110(a)(2). These elements, detailed in CAA Sections 110(a)(2)(A) through (M), include provisions for monitoring, emissions inventories, and modeling designed to assure attainment and maintenance of the NAAQS.

The SIP must demonstrate that the state has the basic air quality infrastructure in place to implement a new or revised NAAQS. Also, the state is required to identify the emissions control requirements to attain and/or maintain the primary and secondary NAAQS.

On July 18, 1997, the U.S. Environmental Protection Agency (EPA) promulgated the first primary and secondary $PM_{2.5}$ annual standard at 15.0 micrograms per cubic meter (µg/m^3); the 24-hour standard was set at 65.0 µg/m^3. The EPA promulgated an updated primary and secondary $PM_{2.5}$ 24-hour standard to 35.0 µg/m^3 on October 17, 2006, while the annual primary and secondary standard of 15.0 µg/m^3 was retained On December 14, 2012, EPA strengthened the primary $PM_{2.5}$ annual NAAQS to 12.0 µg/m^3 and retained the 24-hour fine particle standard of 35 µg/m^3. The secondary $PM_{2.5}$ NAAQS were retained at an annual standard of 15.0 µg/m^3 and a 24-hour standard of 35.0 µg/m^3.

An extensive body of scientific evidence shows that the long- and short-term exposure to fine particle pollution ($PM_{2.5}$) can cause premature death, harmful effects on the cardiovascular system, and respiratory effects, including asthma attacks.[1] The secondary standard addresses PM-related effects such as visibility impairment, ecological effects, damage to materials, and climate impacts.

On October 14, 2009, the state of Arizona submitted a 2006 $PM_{2.5}$ Infrastructure SIP to EPA. On its final action, EPA approved in part and disapproved in part the infrastructure SIP with respect to the requirements in Table 1-1, below.

[1]January 15, 2013 (78 FR 3086)

Table 1-1: Arizona: 110(a)(2) $PM_{2.5}$ 2006 Infrastructure Requirements					
SIP Requirement	**Deadline**	**Submittal Date**	**Latest Action**	**Date of Latest Action**	**FR Citation**
Approved In Part and Disapproved In Part of the Arizona I-SIP					
Section 110(a)(2)(A) Emission Limits and Other Control Measures	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(B) Ambient Air Quality Monitoring/Data System	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(C) Programs for Enforcement of Control Measures and for Construction or Modification of Stationary Sources	9/21/2009	10/14/2009	Partial Approval/Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(D)(i)(I) - Prong 1: Interstate Pollution Transport - Significant Contribution to Nonattainment	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(D)(i)(I) - Prong 2: Interstate Pollution Transport - Interference with Maintenance	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(D)(i)(II) - Prong 3: Interstate Pollution Transport – Interference with Prevention of Significant Deterioration	9/21/2009	10/14/2009	Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(D)(i)(II) - Prong 4: Interstate Pollution Transport – Interference with Visibility Protection	9/21/2009	10/14/2009	Disapproval	8/29/2013	77 FR 75706
Section 110(a)(2)(D)(ii) Interstate Pollution Transport - and international pollution abatement	9/21/2009	10/14/2009	Partial Approval/Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(E) Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies	9/21/2009	10/14/2009	Partial Approval/Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(F) Stationary Source Monitoring and Reporting	9/21/2009	10/14/2009	Partial Approval/Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(G) Emergency Episodes	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(H) SIP Revisions	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(J) Consultation with Government Officials, Public Notification, PSD and Visibility Protection	9/21/2009	10/14/2009	Partial Approval/Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(K) Air Quality Modeling and Submission of Modeling Data	9/21/2009	10/14/2009	Disapproval	12/5/2012	77 FR 66398
Section 110(a)(2)(L) Permitting Fees	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Section 110(a)(2)(M) Consultation and Participation by Affected Local Entities	9/21/2009	10/14/2009	Approval	12/5/2012	77 FR 66398
Source: Status of State SIP Infrastructure Requirements http://www3.epa.gov/airquality/urbanair/sipstatus/reports/az_infrabypoll.html10/7/2015					

This SIP submittal incorporates by reference the statutes and rules required by EPA to demonstrate that Arizona state and local air quality management programs meet the basic program elements under Clean Air Act (CAA) Sections 110(a)(1) and (2) for implementing the 2012 $PM_{2.5}$ NAAQS. The Arizona Department of Environmental Quality (ADEQ), Maricopa County Air Quality Department, Pima County Department of Environmental Quality, and Pinal County Air Quality Control District have worked with EPA to correct deficiencies found in Arizona's 2006 SIP that are mentioned further in Section 2.0. The statutes and programs referenced in Section 2.0, which are the authorities and infrastructure of Arizona state and local air quality management programs, are adequate to ensure attainment and maintenance of the 2012 $PM_{2.5}$ NAAQS in all areas of the state.

2 Analysis of Clean Air Act Section 110(a)(2) Air Quality Control Program Elements for Arizona

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

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

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

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

Section 110(a)(2)(A) requires SIPs to include enforceable emission limitations and other control measures, means, or techniques, as well as schedules for compliance necessary to meet applicable requirements of the CAA. The timing of submittals for specific nonattainment area control measures and plans is subject to the requirements of CAA, Title 1, Part D, "Plan Requirements for Nonattainment Areas"; therefore, the demonstration of compliance with CAA Section 110(a)(2)(A) includes the necessary authority for state and local air quality management programs to adopt and implement control measures and plans to assure attainment and maintenance of the 2012 $PM_{2.5}$ air quality standards in all areas of Arizona except tribal lands.

[2] A.R.S. § 49-404
[3] A.R.S. § 49-402

Table 2-1 lists relevant sections of Arizona Revised Statutes for Arizona's emissions limits and other control measures.

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

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

ADEQ is updating the standards for $PM_{2.5}$ in R18-2-201 to be current with the 2012 NAAQs in the 2016 NSR fix submittal. PCAQCD is anticipating updating standards for Pinal County Code 2-1-020 (A) and (B) along with the county's NSR updates in 2016. PDEQ anticipates updating their rules in 2016. Maricopa County is currently in a 30 day comment period for updating their NSR plan, which includes updates to the $PM_{2.5}$ standards in Rule 510. The public hearing is set for December 9, 2015. Additional state and county rules are listed in Appendix A Table A-1.

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

Section 110(a)(2)(B) requires SIPs to include provisions for establishment and operation of ambient air quality monitors, to compile and analyze ambient air quality data, and to make this data available to EPA upon request. Sections 108 and 109 of the CAA govern the establishment,

review, and revision, as appropriate, of the NAAQS. The current primary NAAQS is attained when the annual mean $PM_{2.5}$ ambient air concentration is less than or equal to 12.0 µg/m^3 over 3 years. Moreover, the new standards are met when the $PM_{2.5}$ 24-hour average 98th percentile concentration over 3 years is less than or equal to 35 µg/m^3.

With regard to the secondary (i.e., welfare-based) $PM_{2.5}$ standards, the EPA retained the 2006 annual and 24-hour standards of 15.0 µg/m^3 and 35 µg/m^3, respectively. Non-visibility welfare effects are addressed by this suite of secondary standards, and PM-related visibility impairment is addressed by the secondary 24-hour $PM_{2.5}$ standard.[4] The final rule of the 2012 $PM_{2.5}$ NAAQS was effective on March 18, 2013.[5]

Arizona maintains an extensive monitoring network operated by state and county agencies designed to collect, compile, and analyze ambient air quality data in attainment and nonattainment areas of the state. Operating agencies track data recovery, quality control, and quality assurance parameters for all instruments operated at various monitoring sites. Criteria pollutant concentrations, such as $PM_{2.5}$, are measured with instruments meeting EPA certification as Federal Reference or Equivalent Methods. All National Air Monitoring Stations (NAMS) data collected within the $PM_{2.5}$ compliance network is compared to the NAAQS, statistically analyzed for trends, and reported quarterly to the EPA Air Quality System (AQS).

Per Title 40, Part 58 of the Code of Federal Regulations (CFR), the state and county agencies annually submit network monitoring plans to EPA. These plans identify the purpose of each monitor and provide evidence that both the siting and operation of each monitor meets the network design, quality assurance, and other federal requirements of 40 CFR Part 58.

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

Table 2-2: CAA 110(a)(2)(B) - Ambient Air Quality Monitoring/Data System

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Program		
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
§ 49-422 Powers and duties	(A), (B), (C), (E), and (F)	11/05/2012 (77 FR 66398)
§ 49-424 Duties of department		11/05/2012 (77 FR 66398)
County Programs		
§ 49-476.01 Monitoring		11/05/2012 (77 FR 66398)

[4] January 15, 2013 (78 FR 3086)
[5] January 15, 2013 (78 FR 3086)

Source: Arizona Revised Statutes and Federal Register

2.3 CAA Section 110(a)(2)(C) – Programs for Enforcement of Control Measures and for Construction or Modification of Stationary Sources

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

In its final rule in July 2012, EPA partially disapproved Arizona's Infrastructure SIP submittals for the 1997 Ozone, 1997 $PM_{2.5}$, and 2006 $PM_{2.5}$ NAAQS with respect to Section 110(a)(C) for portions related to the permitting program for regulation of new and modified stationary sources under Part C, Prevention of Significant Deterioration (PSD), of Title I of the CAA[6]. ADEQ submitted a revision to the New Source Review (NSR) program on October 29, 2012.

On March 18, 2015, EPA proposed a limited approval/limited disapproval of ADEQ's NSR submittals, which addressed ADEQ's NSR programs for minor sources and PSD and nonattainment NSR for major sources[7]. On November 2, 2015, EPA issued a limited approval/limited disapproval for portions of the NSR program, citing deficiencies but generally determining the updates were an overall strengthening of the program.[8] ADEQ is currently working with EPA to revise its NSR program and plans to submit an updated program for approval in 2016. ADEQ expects the 2016 NSR revisions will bring the State of Arizona's SIP for areas under ADEQ's jurisdiction into compliance with the PSD requirements of CAA section 110(a)(2)(C).

Additional Rules can be found in Appendix A Table A-2.

2.3.1 Program for Enforcement of Control Measures

Arizona and local agencies implement control and enforcement programs for permitted emission sources through general and individual facility permits, as described by the Arizona Administrative Code (A.A.C), Title 18, Section 3, Article 302. Under article 302, the state of Arizona has adopted several types of air quality permits to prevent any type of activity and emissions that may significantly contribute to elevated $PM_{2.5}$ concentrations in the ambient air. In ADEQ's October 29, 2015, NSR program submission, EPA approved the transition from an

[6] July 30, 2012 (77 FR 44551)
[7] March 18, 2015 (80 FR 14044)
[8] November 2, 2015 (80 FR 67319)

installation and operating permit program to a unitary permit program. The following list explains each different type of permit required:

- Class I Permits – include any major source that has the potential to emit 100 tons or more of any criteria pollutant per year
- Class II Permits – issued to sources that do not qualify for Class I Permits and meet the requirements of A.A.C. Title 18, Chapter 2, Article 302(B)(2)
- General Permits –cover a specific class of sources. These pre-approved permits differ from individual permits in that they can be applied to more than one source. They are usually more restrictive, less expensive, and require a shorter period of time for the processing and issuance of an Authorization to Operate (ATO).
- Title V Permits – use a portion of the 1990 Clean Air Act Amendments, which outlines the Operating Permits Program (OPP). The OPP was made into law to uniformly limit the emissions from major sources of criteria air pollutants throughout the United States.
- Open Burning Permits –issued by the Permits Section of the Air Quality Division for weed abatement, prevention of a fire hazard, or instruction in the methods of fighting fires, as outlined in R18-2-602 of the Arizona Administrative Code (A.A.C.). .

As part of the SIP enforcement program, ADEQ and local agencies track all committed SIP control measures and work with the entities responsible for those measures to provide any needed assistance and ensure timely implementation. A.R.S. section 49-406 provides additional assurance that $PM_{2.5}$ nonattainment and maintenance control measures will be implemented and enforced. Each agency that commits to implement any emission limitation or other control measure contained in the SIP is required to specify, in a resolution adopted by the governing body of the agency, its authority for implementing the measure and a program for enforcement of the limitation or measure. If any agency or entity fails to implement a committed measure, the county is authorized to file an action in superior court for injunction or any other relief provided by law. Similarly, if the county fails to ensure implementation of measures, the ADEQ Director is authorized, through the State Attorney General, to seek relief provided by law to ensure implementation of all measures.

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

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

or County Attorney for any violations of the air quality provisions of the law, or conduct other enforcement action.

2.3.2 Prevention of Significant Deterioration (PSD) Permit Program

All new major sources and major modifications to existing major sources in Arizona are also subject to the nonattainment (NA) New Source Review (NSR) provisions of these rules or Prevention of Significant Deterioration (PSD) for attainment areas.

ADEQ implements a limited approved NSR for nonattainment areas based on requirements under section 189 of the CAA related to $PM_{2.5}$ precursors. This NSR program implements $PM_{2.5}$ requirements, which includes condensable particular matter and precursors in determining $PM_{2.5}$ emissions.

ADEQ currently has jurisdiction over the permitting of major sources in Pinal County; any updates and improvements to Arizona's state rules are delegated to PCAQCD. Both MCAQD and PDEQ currently implement the federal NSR program per 40 CFR 52.21 for all regulated NSR pollutants[9], pursuant to delegation agreements executed in 1993 and 1994, respectively. The PCAQCD implements a NSR program for all regulated NSR pollutants, pursuant to a 2011 delegation agreement. On November 2, 2015, EPA published a limited approval and limited disapproval of ADEQ's NSR-related rules in section R18-2-402 "General" into the Arizona SIP.[10]

2.3.3 Minor New Source Review

Each of the four permitting agencies in Arizona has a minor NSR program. ADEQ is currently working with EPA to update the minor NSR program for the state. MCAQD is currently revising its NSR program, and began a second public comment period for NSR-related rules on October 2, 2015. [11] MCAQD is updating its NSR rules to fill the "SIP gap" between NSR rules set forth in the Maricopa County Air Pollution Control Regulations and the rules that have been approved by EPA into the Maricopa County portion of the Arizona SIP. PDEQ is currently working on an NSR rule package that will adopt a similar NSR program to ADEQ's. PCAQCD is in the preliminary stages of drafting NSR program updates. As part of this process, PCAQCD will be reviewing Maricopa's and ADEQ's updated proposed NSR rules.

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

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[9] As defined in 40 CFR 52.21(b)(50)

[10] November 2, 2015 (80 FR 67319)

[11] *AQ-2013-005-New Source Review (NSR)*
30-Day Comment Period
October 2, 2015 – November 9, 2015, Maricopa County Air Quality Department, available at: http://www.maricopa.gov/regulations/aq/pdf/meetings/AQ-2013-005_30-DayCommentPeriod.pdf (Accessed 11/5/15).

Table 2-3: CAA 110(a)(2)(C) – Programs for Enforcement of Control Measures and for Construction or Modification of Stationary Sources		
Statute/Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
ADEQ Programs		
§ 49-103 Department employees; legal counsel		11/05/2012 (77 FR 66398)
§ 49-106 Statewide application of rules		11/05/2012 (77 FR 66398)
§ 49-107 Local delegation of state authority		11/05/2012 (77 FR 66398)
§ 49-402 State and county control	All sections but (A)(8)	6/08/2000 (65 FR 36353)
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
§ 49-406 Nonattainment area plan	(G)(1), (G)(2), and (G)(3)	6/08/2000 (65 FR 36353)
§ 49-422 Powers and duties		11/05/2012 (77 FR 66398)
§ 49-424 Duties of department		11/05/2012 (77 FR 66398)
§ 49-425 Rules; hearing		11/05/2012 (77 FR 66398)
§ 49-433 Special inspection warrant		11/05/2012 (77 FR 66398)
§ 49-435 Hearings on orders of abatement		11/05/2012 (77 FR 66398)
§ 49-441 Suspension and revocation of conditional order		11/05/2012 (77 FR 66398)
§ 49-460 Violations; production of records		11/05/2012 (77 FR 66398)
§ 49-461 Violations; order of abatement		11/05/2012 (77 FR 66398)
§ 49-462 Violations; injunctive relief		11/05/2012 (77 FR 66398)
§ 49-463 Violations; civil penalties		11/05/2012 (77 FR 66398)
County Programs		
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-488 Special inspection warrant		11/05/2012 (77 FR 66398)
§ 49-490 Hearings on orders of abatement		11/05/2012 (77 FR 66398)

Table 2-3: CAA 110(a)(2)(C) – Programs for Enforcement of Control Measures and for Construction or Modification of Stationary Sources		
Statute/Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
§ 49-495 Suspension and revocation of conditional order		11/05/2012 (77 FR 66398)
§ 49-502 Violation; classification	(A), (B), and (C)	11/05/2012 (77 FR 66398)
§ 49-510 Violations; production of records		11/05/2012 (77 FR 66398)
§ 49-511 Violations; order of abatement		11/05/2012 (77 FR 66398)
§ 49-512 Violations; injunctive relief		11/05/2012 (77 FR 66398)
§ 49-513 Violations; civil penalties		11/05/2012 (77 FR 66398)
Source: Arizona Revised Statutes		

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

2.4.1 110(a)(2)(D)(i)(I) – Significant Contribution to Nonattainment and Interference with Maintenance

Section 110(a)(2)(D)(i)(I) of the Clean Air Act (CAA) requires each state to prohibit emissions that contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any primary or secondary national ambient air quality standard (NAAQS).

EPA determined on July 30, 2012, (77 FR 44551) that Arizona does not contribute significantly to nonattainment or interfere with maintenance areas in other states. Currently there are no areas in Arizona exceeding the 2012 $PM_{2.5}$ NAAQS. Nogales and Pinal County were previously designated as nonattainment/maintenance areas for previously promulgated standards, but these areas have clean data findings in 2013. Since the 2012 24-hour $PM_{2.5}$ standard of 35 $\mu g/m^3$ was retained from 2006 and there are no new nonattainment areas in Arizona, ADEQ finds that Arizona does not contribute to other states' $PM_{2.5}$ NAA or maintenance areas.

2.4.2 110(a)(2)(D)(i)(II) – Interference with PSD and Interference with Visibility Protection

Section 110(a)(2)(D)(i)(II) requires that each SIP contains adequate provisions prohibiting emissions activity within the state from emitting $PM_{2.5}$ in amounts which will interfere with requirements of section 126(b) and (c).

ADEQ submitted the updated Arizona NSR – PSD program in 2012 for major and minor sources in both attainment and nonattainment areas. On November 2, 2015, EPA issued a final rule of limited approval/limited disapproval[12]. ADEQ anticipates a 2016 revision submittal that is expected to correct disapproved items.

Particulate matter is the main pollutant in visibility impairment in cities and national parks. The secondary NAAQS for fine particles ($PM_{2.5}$) applies.

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

On December 5, 2012, EPA partially approved and partially disapproved Arizona's Regional Haze SIP (section 308) addressing BART requirements for units at the Arizona Electric Power Company's Apache Generating Station (Apache), Arizona Public Servicer's Cholla Power Plant (Cholla), and Salt River Project's Coronado Generating Station (Coronado). BART emission limits for SO_2 and PM_{10} at all three sources and units, and NOx emission limits at Apache Unit 1 were approved. BART emission limits for NO_X at all coal-fired BART units were disapproved.[12]A revision to the Regional Haze SIP addressing remaining elements not addressed in EPA's action on December 5, 2012, was proposed by EPA for partial approval and partial disapproval on December 21, 2012.[13] The EPA designated this period of rulemaking "Phase 1". The second phase culminated on August 8, 2013, when EPA proposed to approve in part and disapprove in part revisions to Arizona's SIP for its Regional Haze Program based on its evaluation of supplemental information submitted by Arizona on May 3, 2013.[14] EPA published "Phase 3" by promulgating a Federal Implementation Plan for the remainder of the Arizona Regional Haze program on September 19, 2014.[15]

On July 15, 2013, EPA took final action to partially approve and partially disapprove the remaining portions (i.e., Section 309) of Arizona's Regional Haze SIP. Furthermore, EPA approved the supporting elements of the Arizona Regional Haze SIP: Arizona's identification of Class I areas that may experience visibility impairment due to emissions from sources within the State; Arizona's estimated visibility conditions for baseline, 2018 and 2064; Arizona's uniform rate of progress for each Class I area; Arizona's emission inventories for 2002, 2008, and 2018;

[12] December 5, 2012 (77 FR 72512)
[13] December 21, 2012 (77 FR 75704)
[14] May 3, 2013 (78 FR 48326)
[15] September 19, 2014 (79 FR 56322)

and Arizona's identification of the sources of visibility impairment. ADEQ is currently composing Arizona's 5-year Regional Haze Progress Report and plans to submit to EPA in early 2016. ADEQ published a 30-day notice of public comment and hearing on September 28, 2015, and is currently addressing comments received.

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

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

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

Arizona meets the requirements of Section 126 with the 2012 NSR submission and limited approval in 2015. ADEQ outlines the state's responsibility to send a copy of public notice for any proposed major new or modified source to EPA and to "officials and agencies having cognizance over the location where the proposed major source or major alteration would occur."[16] There are no petitions from other states against Arizona.

2.5 CAA Section 110(a)(2)(E) – Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies

2.5.1 110(a)(2)(E)(i) - Adequate Resources and Authority

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

Funding to staff and administer Arizona air quality control programs, such as permitting and motor vehicle emissions inspection programs, consists of federal grants and fees collected from regulated emissions sources. State, county, and regional agency funding and personnel resources are currently adequate to meet federal and state obligations to administer the air quality programs necessary to attain and maintain the 2012 $PM_{2.5}$ air quality standards for the protection of public health and welfare. The need for additional staff for the five year period following this submittal is not anticipated. ADEQ submitted funding statutes A.R.S. sections 49-544 and 49-551 on July 6, 2001, and section 49-455 on October 14, 2009, to meet adequate resource requirements under Section 110(a)(2)(E)(i).

[16] See R18-2-402, Subsection I.

2.5.2 110(a)(2)(E)(ii) – Conflict of Interest

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

Authority for permit approvals and enforcement orders is provided to the ADEQ Director and county control officers. Arizona law, applicable to "all public officers and employees of incorporated cities or towns, of political subdivisions and of the State and any of its departments, commissions, agencies, bodies or boards," contains provisions for adequate disclosure of any conflict of interest. To meet the conflict of interest requirements under Section 110(a)(2)(E)(ii), ADEQ submitted A.R.S. Title 38, Chapter 3, Article 8, Conflict of Interest of Officers and Employees, on October 14, 2009. Maricopa County adopted a revision to Rule 100, Section 108, requiring that County Air Quality Hearing Board members not have substantial interest in any person required to obtain an air pollution permit or subject to enforcement orders issued under the Maricopa County Air Pollution Control Regulations. ADEQ submitted this revision to EPA on December 6, 2013. On December 19, 2013, ADEQ submitted to the EPA the Pima County revisions to Pima County Rule 17.04.190, extending the majority membership requirement to interests in persons subject to enforcement orders. On September 4, 2014, ADEQ submitted Pinal County Rule 1-3-140 revisions addressing the deficiency in 110(a)(2). EPA approved these submittals into the Arizona SIP on August 10, 2015.[17]

2.5.3 110(a)(2)(E)(iii) – Oversight of Local Governments and Regional Agencies

110(a)(2)(E)(iii) requires necessary assurances that, where the state has relied on a local or regional government agency for implementation of any plan provision, the state has responsibility for ensuring adequate implementation of such plan provision.

Title 40 CFR Part 51, Subpart M, requires the state to identify organizations that will participate in the development of the SIP. ADEQ is the arbiter of any SIPs promulgated in Arizona, but Pima, Pinal, and Maricopa Counties and any MPOs in a nonattainment area are involved in the development, implementation, and enforcement of any SIP in their respective locations. There are currently no areas in nonattainment of the 2012 $PM_{2.5}$ NAAQs in Arizona.

Table 2-4 lists the rules and statutes approved into the Arizona SIP.

[17] August 10, 2015 (80 FR 47859)

Table 2-4: CAA 110(a)(2)(E) - Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies		
Statute/Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
CAA 110(a)(2)(E)(i) - ADEQ Programs		
§ 28-1253 Registration requirement; exceptions; assessment; violation; classification		11/05/2012 (77 FR 66398)
§ 35-313 Investment of trust and treasury monies; loans and securities		11/05/2012 (77 FR 66398)
§ 49-103 Department employees; legal counsel		11/05/2012 (77 FR 66398)
§ 49-402 State and county control		11/05/2012 (77 FR 66398)
§ 49-406 Nonattainment area plan		11/05/2012 (77 FR 66398)
§ 49-404 State implementation plan	(A)	6/08/2000 (65 FR 36353)
§ 49-455 Permit administration fund	(A) and (B)(2)	11/05/2012 (77 FR 66398)
§ 49-543 Emissions inspection costs; disposition; fleet inspection; certificates	(A)	11/05/2012 (77 FR 66398)
§ 49-544 Emissions inspection fund; composition; authorized expenditures; exemptions; investment		1/22/2003 (68 FR 2912)
§ 49-551 Air quality fee; air quality fund; purpose		1/22/2003 (68 FR 2912)
County Programs		
§ 49-471 Definitions		11/05/2012 (77 FR 66398)
§ 49-478 Hearing board		11/05/2012 (77 FR 66398)
§ 49-479 Rules; hearing		11/05/2012 (77 FR 66398)
§ 49-480.02 Appeals of permit actions		11/05/2012 (77 FR 66398)
§ 49-482 Appeals to hearing board		11/05/2012 (77 FR 66398)
CAA 110(a)(2)(E)(ii) – ADEQ/County Programs		
§ 38-101 Definitions		11/05/2012 (77 FR 66398)
§ 38-501 Application of article		11/05/2012 (77 FR 66398)
§ 38-502 Definitions		11/05/2012 (77 FR 66398)
§ 38-503 Conflict of interest; exemptions; employment prohibition		11/05/2012 (77 FR 66398)
§ 38-504 Prohibited acts		11/05/2012 (77 FR 66398)

Table 2-4: CAA 110(a)(2)(E) - Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies		
Statute/Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
§ 38-505 Additional income prohibited for services		11/05/2012 (77 FR 66398)
§ 38-506 Remedies		11/05/2012 (77 FR 66398)
§ 38-507 Opinions of the attorney general, county attorneys, city or town attorneys and house and senate ethics committee		11/05/2012 (77 FR 66398)
§ 38-508 Authority of public officers and employees to act		11/05/2012 (77 FR 66398)
§ 38-509 Filing of disclosures		11/05/2012 (77 FR 66398)
§ 38-510 Penalties		11/05/2012 (77 FR 66398)
§ 38-511 Cancellation of political subdivision and state contracts; definition		11/05/2012 (77 FR 66398)
Maricopa County Rule 100 Section 108		12/19/2013 (80 FR 47859)
Pima County Rule 17.04.190		12/19/2013 (80 FR 47859)
Pinal County Rule 1-3-140		12/19/2013 (80 FR 47859)
CAA 110(a)(2)(E)(iii)		
§ 49-106 Statewide application of rules	(J)	11/05/2012 (77 FR 66398)
§ 49-107 Local delegation of state authority		11/05/2012 (77 FR 66398)
§ 49-402 State and county control	(A)(1) through (A)(7), (B), (C),	6/08/2000 (65 FR 36353)
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
Sources: Arizona Revised Statutes and Federal Register		

2.6 CAA Section 110(a)(2)(F) – Stationary Source Monitoring and Reporting

Section 110(a)(2)(F) requires provision for emissions monitoring by owners or operators of stationary sources, periodic reports on the nature and amounts of emissions, and correlation of such reports by the state agency with any emission limitations or standards. Adoption of the SIP by the state also requires each state to submit to EPA a comprehensive plan that includes

correlation of emissions with any emission limitations or standards established pursuant to the Clean Air Act regulations.

Arizona Revised Statutes provide authority to require any sources of air contaminants to monitor, sample or perform other studies to quantify emissions of air contaminants or levels of air pollution that may be reasonably attributable to that source. On November 5, 2012, EPA issued the final rulemaking, "Partial Approval and Disapproval of Air Quality Implementation Plans; Arizona; Infrastructure Requirements for Ozone and Fine Particulate Matter."[18] This action outlined a deficiency within the Pima County program for this element. On December 18, 2013, ADEQ submitted to the EPA a supplement including the requested Pima County regulations 17.12.040 and 17.24.040. EPA approved the revisions August 10, 2015 (80 FR 47859).

Applicable state statues and rules for stationary monitoring and reporting can be found in Table 2-5.

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

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-422 Powers and duties		11/05/2012 (77 FR 66398)
§ 49-424 Duties of Department		11/05/2012 (77 FR 66398)
R18-2-313. Existing Source Emission Monitoring		11/05/2012 (77 FR 66398)
R18-2-327. Annual Emission Inventory Questionnaire		11/05/2012 (77 FR 66398)
County Programs		
§ 49-476.01 Monitoring		11/05/2012 (77 FR 66398)
Maricopa County Rules		
Rule 100. General Provisions and Definitions	Section 500 Monitoring and Records	11/05/2012 (77 FR 66398)
Pima County Rules		
17.12.040 Reporting Requirements		8/10/2015 (80 FR 47859)
17.24.040 Reporting for Compliance Evaluations		8/10/2015 (80 FR 47859)
Pinal County Rules		
3-1-081 Permit Conditions	(3)(4)	4/9/1996 (61 FR 15717)

[18] November 5, 2012 (77 FR 66398).

Table 2-5: CAA 110(a)(2)(F) - Stationary Source Monitoring and Reporting		
Statute/Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
3-1-150 Monitoring		4/9/1996 (61 FR 15717)
Sources: Arizona Revised Statutes and Federal Register		

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

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

Arizona Revised Statutes (A.R.S.) § 49-465 authorizes state actions to alleviate or prevent an emergency health risk to the public due to air pollution or likely exceedance of the NAAQS. The Governor "may, by proclamation, declare that an emergency exists and may prohibit, restrict, or condition" any and all activity that contributes to the emergency. Arizona Administrative Code (A.A.C.) R18-2-220, "Air Pollution Emergency Episodes"[19], prescribes the procedures the ADEQ Director shall implement to prevent the occurrence of ambient air pollution concentrations which would cause significant harm to public health. These procedures include governmental and public notification of the nature of the episode and, at the directive of the Governor's office, possible curtailment of industrial and commercial activities.

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

- Maricopa County Air Pollution Control Regulations, Regulation VI - Emergency Episodes, Rule 600[20], Emergency Episodes
- Pima County Municipal Code, Title 17. Air Quality Control, Chapter 17.32, Emergency Episodes and Public Awareness, Article I. Emergency Episodes
- Pinal County Air Quality Control District Code of Regulations, Chapter 2. Ambient Air Quality Standards, Article 7. Air Pollution Emergency Episodes[21].

On October 15, 2012, EPA approved the Arizona Emergency Episode Plan, which EPA found is substantively identical to the CAA section 110(a)(2)(G) .[22] The rulemaking includes revisions submitted on August 15, 1994. These revisions include the following: 1) Rule R18–2–220, “Air pollution emergency episodes”, amended effective September 26, 1990; 2) a letter from Eric C.

[19] AAC R9-3-219 in 47 FR 42572 (September 28, 1982).
[20] Maricopa County Rule 600 was adopted 7/13/1988 and approved by EPA into the SIP 3/18/1999 in 64 FR 13351.
[21] Pinal County Rules were adopted 6/29/1993 and approved by EPA into the SIP on 12/20/2000 in 65 FR 79742.
22 October 15, 2012 (77 FR 62452 at 62453)

Massey, Director, Air Quality Division, ADEQ, to Jared Blumenfeld, Regional Administrator, US EPA, dated August 30, 2012, certifying that the attached copy of the document, "Procedures for Prevention of Emergency Episodes: 1988 Edition," is a true and correct copy of the original and is an official publication of ADEQ; and 3) the document titled, "Procedures for Prevention of Emergency Episodes," 1988 edition, ADEQ .[23]

R18-2-220 does not classify priority levels for $PM_{2.5}$. All of Arizona is classified as priority I for Particulate Matter as outlined in 40 CFR 51.150. ADEQ has set the alert, warning, and emergency episode thresholds for 24 hour PM_{10} at 350 µg/m^3, 420 µg/m^3, and 500 µg/m^3 respectively.

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

Table 2-6: CAA 110(a)(2)(G) - Emergency Episodes

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

Under 40 CFR 51.151 each plan for a Priority I region is required to include a contingency plan which must at a minimum provide for action necessary to prevent ambient pollutant concentrations at any location in such region from exceeding $PM_{2.5}$ significant harm levels. ADEQ's emergency episode rules and procedures were approved into the SIP on October 15, 2012(77 FR 62452).

23October 15, 2012 (77 FR 62454)

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

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

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

Table 2-7: CAA 110(a)(2)(H) - SIP Revisions

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

2.9 CAA Section 110(a)(2)(I) – Plan Revisions for Nonattainment Areas

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

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

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

Section 110(a)(2)(J) requires states to do the following:

(1) provide a process for consultation with local governments and Federal Land Managers carrying out NAAQS implementation requirements pursuant to Section 121 relating to consultation,

(2) notify the public if NAAQS are exceeded in an area and to enhance public awareness of measures that can be taken to prevent exceedances per Section 127 relating to public notification, and

(3) meet applicable requirements of Part C related to prevention of significant deterioration of air quality and visibility protection.

Arizona agencies maintain appropriate consultation procedures with local governments, CAA Section 174 and metropolitan planning agencies, and federal land managers regarding implementation of CAA requirements. A.R.S. § 49-406 requires the state, the metropolitan planning agency on behalf of affected local governments, county agencies, and the Department of Transportation to enter into a memorandum of agreement for the purpose of coordinating the development, implementation, and enforcement of nonattainment and maintenance plans. Additionally, opportunity for comment is provided through stakeholder meetings and public hearings held to solicit testimony from the public and federal and local air quality planning agencies prior to adoption of any revision to the Arizona SIP.

CAA Section 127 requires measures to notify the public of instances or areas in which any air quality standard is exceeded during the preceding calendar year, to advise the public of health hazards associated with air pollution, and to enhance public awareness of measures that can be taken to improve air quality. Air quality forecasts, which include actual ambient air quality data for the preceding day, are made available to the public daily. The annual reports, daily forecasts, and other air quality information, including tips for reducing pollution, are available on the ADEQ Web site and through email and text (SMS) notification options.

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

Arizona's visibility protection program is designed to analyze the causes of visibility impairment and to develop and implement control strategies. Requirements include analysis of emissions from new major sources or sources making major modifications and anticipated impacts on visibility at any Class I area. A more detailed discussion of Arizona’s Regional Haze SIP is provided above in Section 2.4.2, CAA Section 110(a)(2)(D)(i)(II), Interference with PSD and Interference with Visibility Protection. ADEQ is updating Arizona’s PSD program with respect to

Regional Haze. Table 2-8 lists relevant sections of Arizona Revised Statutes that are in place and essential in conforming with the CAA 110(a)(2)(J).

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

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

2.11 CAA Section 110(a)(2)(K) – Air Quality Modeling and Submission of Modeling Data

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

(i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and

(ii) the submission, upon request, of data related to such air quality modeling to the Administrator.

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

1. Developing plans designed to assure that all areas of the state either already meet or will attain the National Ambient Air Quality Standards (NAAQS) and Prevention of Significant Deterioration (PSD) requirements.[24]

2. Issuing preconstruction permits designed to assure that a new source does not cause or contribute to a NAAQS violation.[25]

EPA guidance recommends that, at a minimum, states identify the statutory or regulatory provisions that provide state and local air agencies the authority to perform the above actions, along with a narrative of how the provisions meet the requirements above.[26]

ADEQ recently revised its SIP submittal for CAA Section 110(a)(2)(K). For reference, below is a summary of that revision expected to be submitted in December 2015.

2.11.1 Modeling for Plan Development

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

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

2.11.2 Modeling for Preconstruction Permits

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

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

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

24 See CAA §§ 110(a)(1), (a)(2)(I), (a)(2)(K); 163; 172(a)(1) and (6)
25 See CAA §§ 110(a)(2)(C); 165
26 2013 Infrastructure SIP Guidance, pg. 55, accessed here: http://www.epa.gov/air/urbanair/sipstatus/docs/Guidance_on_Infrastructure_SIP_Elements_Multipollutant_FINAL_Sept_2013.pdf

Pinal, Pima, and Maricopa Counties are currently proposing and revising their respective New Source Review (NSR) programs for preconstruction permits. Each of the county APCDs has existing regulations establishing the authority to require modeling in connection with PSD permits that are substantially identical to ADEQ's.[27] In addition, as explained in the July 20, 2014, State Implementation Plan for NSR Supplemental Information sections 2.2(b) and 2.4, Pinal County currently has delegated authority to administer ADEQ's PSD program.

2.11.3 General Authority

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

2.11.4 Legal Authority

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

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

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

27 Maricopa County Air Pollution Control Regulations, Rule 240, § 308.1(e)-(f); Pima County Code of Regulations § 17.16.590(A)(5)-(6); Pinal County Air Quality Control District Code of Regulations § 3-3-250(A)(5)-(6).

Table 2-9: CAA 110(a)(2)(K) - Air Quality Modeling and Submission of Modeling Data		
Statute/Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
County Programs		
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-474 County control boards		11/05/2012 (77 FR 66398)
Source: Arizona Revised Statutes and Federal Register		

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

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

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

According to EPA-issued Guidance[28], "the infrastructure SIP should provide citations to the regulations providing for collection of permitting fees under the state's EPA-approved Title V permit program. See 40 CFR 70.9 ('Fee determination and certification'), and 40 CFR Part 70, Appendix A, 'Approval Status of State and Local Operating Permits Programs.'"

Arizona received interim approval for the Title V permit program, established by the 1990 Federal Clean Air Act Amendment.[29] The interim approval of the ADEQ Title V program became effective on Nov. 29, 1996. Full EPA-approval of the Title V operating permits programs for ADEQ, Maricopa County, Pima County, and Pinal County were effective November 30, 2001.[30] Subsequently, on May 17, 2005, EPA issued a notice of deficiency with respect to certain elements of Maricopa County's Title V operating permits program, including the permit fee requirements.[31] Following EPA's performance of a Title V program evaluation and the Maricopa County Air Quality Department's (MCAQD) subsequent submittal of corrections to address the identified deficiencies, EPA issued a notice of resolution explaining EPA's basis for concluding that the MCAQD had resolved all of the issues identified in EPA's May 17, 2005, notice of

[28]Guidance On Infrastructure State Implementation Plan (SIP) Elements Required Under Sections 110(a)(1) and 110(a)(2) for the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS), dated October 14, 2011.
29 October 30, 1996 (61 FR 55915)
30 December 5, 2001 (66 FR 63175) and December 5, 2001 (66 FR 63166)
31 June 2, 2005 (70 FR 32243)

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

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

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

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

Table 2-10: CAA 110(a)(2)(M) - Consultation and Participation by Affected Local Entities

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

3 Conclusion

This $PM_{2.5}$ Infrastructure State Implementation Plan submittal demonstrates that the existing authorities and infrastructure of Arizona State and local air quality management programs, in conjunction with the updated NSR SIP which will be submitted in 2016, meet the basic program elements required under CAA Section 110(a)(2) for the 2012 $PM_{2.5}$ NAAQS. ADEQ is working with EPA and all three counties to continue to remedy all the issues identified by EPA in previous actions.

The EPA disapproved six components of the 2006 Arizona $PM_{2.5}$ Infrastructure SIP on November 5, 2012. ADEQ worked on correcting deficiencies found in the interim period between partial disapproval/approval and the 2012 $PM_{2.5}$ Submission. The EPA found deficiencies for sections 110(a)(2)(C), (D)(i)(II), (D)(ii), (E)(ii), (F), (J), and (K). Many of the deficiencies were linked to an inadequate NSR program for the state of Arizona. ADEQ has been updating Arizona's NSR SIP, with submissions in October 2012 and 2016 to fix deficiencies. Other deficiencies were corrected by submission of regulations by ADEQ, Maricopa Air Quality Department, Pima Department of Air Quality, and Pinal Air Quality Department. Both Components E(ii) and F were corrected fully. ADEQ is working on correcting the latest deficiencies that EPA found in the 2012 submittal of the NSR SIP for the requirements in components C, D, J, and K.

ADEQ commits to developing the appropriate remedy for any deficiencies outlined by EPA and will submit SIP revisions as appropriate within the required timeframe.

ADEQ
Arizona Department of Environmental Quality

Appendix A
Additional State and County Rules Supporting Arizona's $PM_{2.5}$ SIP Infrastructure

Air Quality Division
December 11, 2015 Proposed

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No table of figures entries found.

A1 Additional State and County Rules

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

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

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
ADEQ Program		
R18-2-201. Particulate Matter: PM_{10} and $PM_{2.5}$		NSR UPDATE
R-18-2-218. Limitation of Pollutants in Classified Attainment Areas		N/A
R18-2-602. Unlawful Open Burning		9/23/2014 (79 FR 56655)
R18-2-604. Open Areas, Dry Washes or Riverbeds		9/23/2014 (79 FR 56655)
R18-2-605. Roadways and Streets		9/23/2014 (79 FR 56655)
R18-2-606. Material Handling		9/23/2014 (79 FR 56655)
R18-2-607. Storage Piles		9/23/2014 (79 FR 56655)
R18-2-608. Mineral Tailings		9/23/2014 (79 FR 56655)
R18-2-702. General Provisions		8/24/2004 (69 FR 51952)
R18-2-710. Standards of Performance for Existing Storage Vessels for Petroleum Liquids		324/2003 (68 FR 14151)
R18-2-715. Standards of Performance for Existing Primary Copper Smelters	(.01)(.02)	11/01/2004 (69 FR 63321)
R18-2-725. Standards of Performance for Existing Dry Cleaning Plants		3/24/2003 (68 FR 14151)
R18-2-727. Standards of Performance for Spray Painting Operations		3/24/2003 (68 FR 14151)

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
R18-2-801. Classification of Mobile Sources		3/24/2003 (68 FR 14151)
R18-2-802. Off-road Machinery		3/24/2003 (68 FR 14151)
R18-2-803. Heater-planer Units		3/24/2003 (68 FR 14151)
R18-2-804. Roadway and Site Cleaning Machinery		3/24/2003 (68 FR 14151)
R18-2-805. Asphalt or Tar Kettles		3/24/2003 (68 FR 14151)
R18-2-1501 through R18-2-1513. Forest Range and Management Burns		5/16/2006 (71 FR 28270)
Maricopa County Programs		
R18-2-610. Definitions for R18-2-611		11/05/2012 (77 FR 66398)
R18-2-611. Agricultural PM10 General Permit; Maricopa PM10 Nonattainment Area		11/05/2012 (77 FR 66398)
R18-2-1001 through R18-2-1031. VEI		11/05/2012 (77 FR 66398)
R20-2-701, R20-2-716, R20-2-750 through R20-2-760. CBF		3/4/2004 (69 FR 10161)
310. Fugitive Dust From Dust-Generating Operations		12/15/2010 (75 FR 78167)
311. Particulate Matter from Process Industries		8/4/1997 (62 FR 41856)
312. Abrasive Blasting		1/4/2001 (66 FR 730)
314. Open Outdoor Fires and Indoor Fireplaces at Commercial and Institutional Establishments		11/9/2009 (74 FR 57612)
316. Nonmetallic Mineral Mining and Processing		11/13/2009 (FR 58553)
318. Residential Woodburning Devices		11/8/1999 (64 FR 60678)
322. Power Plant Operations		10/14/2009 (74 FR 52693)
323. Fuel Burning Equipment from Industrial/Commercial/Institutional (ICI) Sources		10/14/2009 (74 FR 52693)
324. Stationary Internal Combustion Engines		10/14/2009 (74 FR 52693)
325. Brick and Structural Clay Products Manufacturing		8/21/2007 (72 FR 46564)
331. Solvent Cleaning		12/21/2004 (69 FR 76417)
333. Petroleum Solvent Dry Cleaning		12/21/2004 (69 FR 76417)
334. Rubber Sports Ball Manufacturing		2/9/1998 (63 FR 6489)
335. Architectural Coatings		1/6/1992 (57 FR 354)

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
336. Surface Coating Operations		9/20/1999 (64 FR 50759)
337. Graphic Arts		2/9/1998 (63 FR 6489)
338. Semiconductor Manufacturing		2/9/1998 (63 FR 6489)
339. Vegetable Oil Extraction Processes		2/9/1998 (63 FR 6489)
340. Cutback & Emulsified Asphalt		2/1/1996 (61 FR 3578)
341. Metal Casting		2/12/1996 (61 FR 5287)
342. Coating Wood Furniture and Fixture		2/9/1996 (63 FR 6489)
343. Commercial Bread Bakeries		3/17/1997 (62 FR 12544)
344. Automobile Windshield Washer Fluid		11/30/2001 (66 FR 59699)
346. Coating Wood Millwork		2/9/1998 (63 FR 6489)
347. Ferrous Sand Casting		6/12/2000 (65 FR 36788)
348. Aerospace Manufacturing and Rework Operations		6/20/1999 (64 FR 50759)
349. Pharmaceutical, Cosmetic and Vitamin Manufacturing Operations		6/8/2001 (66 FR 30815)
350. Storage of Organic Liquids at Bulk Plants and Terminals		9/5/1995 (60 FR 46024)
351. Loading of Organic Liquids		2/9/1998 (63 FR 6489)
352. Gasoline Delivery Vessels		9/5/1995 (60 FR 46024)
353. Transfer of Gasoline into Stationary Dispensing Tanks		2/1/1996 (61 FR 3578)
358. Polystyrene Foam Operations		5/26/2005 (70 FR 30370)
P-21. Vehicle Idling Restriction Ordinance		N/A
P-25. Leaf Blower Restriction Ordinance		N/A
P-26. Residential Woodburning		11/9/2009 (63 FR 24434)
P-27. Vehicle Parking and Use on Unstabilized Vacant Lots		N/A
P-28. Off Road Vehicle Use in Unincorporated Areas of Maricopa County		N/A
Pinal County Programs		
3-8-700. General provisions		5/16/2006 (71 FR 28270)
3-8-710. Permit provisions and administration		5/16/2006 (71 FR 28270)
4-4-100. General Provisions		4/6/2010 (75 FR 17307)
4-4-110. Definitions		4/6/2010 (75 FR 17307)
4-4-120. Objective Standards		4/6/2010 (75 FR 17307)
4-4-130. Work Practice Standards		4/6/2010 (75 FR 17307)
4-5-150. Stabilization for Residential Parking and Drives; Applicability		4/6/2010 (75 FR 17307)

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
4-5-160. Residential Parking Control Requirement		4/6/2010 (75 FR 17307)
4-5-170. Deferred enforcement date		4/6/2010 (75 FR 17307)
4-7-210. Definitions		4/6/2010 (75 FR 17307)
4-7-214. General Provisions		4/6/2010 (75 FR 17307)
4-7-222. Owner and/or Operator Liability		4/6/2010 (75 FR 17307)
4-7-226. Objective Standards; Sites		4/6/2010 (75 FR 17307)
4-7-230. Obligatory Work Practice Standards; Sites		4/6/2010 (75 FR 17307)
4-7-234. Nonattainment-Area Dust Permit Program; General Provisions		4/6/2010 (75 FR 17307)
4-7-238. Nonattainment Area Site Permits		4/6/2010 (75 FR 17307)
4-7-242. Nonattainment Area Block Permits		4/6/2010 (75 FR 17307)
4-7-246. Recordkeeping and Records Retention		4/6/2010 (75 FR 17307)
5-18-740. Storage of Volatile Organic Compounds; Organic Compound Emissions		12/26/2000 (65 FR 81371)
5-22-960. Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitations		9/29/2000 (65 FR 58359)
5-24-1045. Sulfite Pulp Mills - Sulfur Compound Emissions		9/29/2000 (65 FR 58359)
5-24-1055 Pumps and Compressors - Organic Compound Emissions		12/26/2000 (65 FR 81371)
Pima County Programs		
R18-2-1001 thru R18-2-1031. VEI		11/05/2012 (77 FR 66398)
R20-2-701, R20-2-716, R20-2-750 through R20-2-760. CBF		3/4/2004 (69 FR 10161)
17.08.030. Particulate Matter: (PM) and PM	(B)	N/A
17.08.150. Limitation of pollutants in classified attainment areas		N/A
17.12.480. Open burning permits		5/16/2006 (71 FR 28270)
17.16.050. Visibility limiting standard		N/A
17.16.060. Fugitive dust producing activities		N/A
17.16.070. Fugitive dust emissions standards for motor vehicle operation		N/A
17.16.080. Vacant lots and open spaces		N/A
17.16.090. Roads and Streets		N/A
17.16.100. Particulate Materials		N/A
17.16.110. Storage Piles		N/A

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule	**Relevant Sections**	**Date approved into the Arizona SIP**
17.16.120. Mineral tailings		N/A
17.16.150. Limitation of Pollutants in Classified Areas		N/A
17.16.170. Incinerators		N/A
17.16.180. Standards of performance for existing hospital/medical/infectious waste incinerators		N/A
17.16.210. Standards of performance for asphalt concrete plants		N/A
17.16.240. Standards for performance for secondary lead smelters		N/A
17.16.250. Standards of performance for secondary brass and bronze ingot production plants		N/A
17.16.260. Standards of performance for iron and steel plants		N/A
17.16.270. Standards of performance for sewage treatment plants		N/A
17.16.310. Standards of performance for coal preparation plants		N/A
17.16.320. Standards of performance for steel plants: electric arc furnaces (EAF)		N/A
17.16.340. Standards of performance for stationary rotating machinery		
17.16.360. Standards of performance for nonferrous metals industry sources		N/A
17.16.370. Standards of performance for gravel or crushed stone processing plants		N/A
17.16.410. Standards of performance for cotton gins		N/A
17.16.430. Standards of performance of unclassified sources		N/A
Pima County Ordinance No. 1988-72		1/29/1991 (56 CFR 3219)
Source: Arizona Revised Statutes, Maricopa County Codes, Pima County Codes, Pinal County Codes, and Federal Register		

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

The rules listed in Table A-2 are the NSR updates from 2012 that received a limited approval/disapproval in November 2015[1]. These rules apply to Element C. ADEQ is currently working on correcting deficiencies outlined by EPA in their November finding.

Table A-2: CAA 110(a)(2) (C) – Enforcement of Control Measures
Limited Approved/Disapproved Rules
ADEQ Programs
R18-2-101. Definitions
R18-2-217. Designation and Classification of Attainment Areas
R18-2-218. Limitation of Pollutants in Classified Attainment Areas
R18-2-301. Definitions
R18-2-302. Applicability; Registrations; Classes of Permits
R18-2-302.01. Source Registration Requirements
R18-2-303. Transition from Installation and Operating Permit Program to Unitary Permit Program; Registration Transition; Minor NSR Transition
R18-2-304. Permit Application Processing Procedures
R18-2-306. Permit Contents
R18-2-306.01. Permits Containing Voluntarily Accepted Emission Limitations and Standards
R18-2-306.02. Establishment of an Emissions Cap
R18-2-311. Test Methods and Procedures
R18-2-312. Performance Tests
R18-2-315. Posting of Permit
R18-2-316. Notices by Building Permit Agencies
R18-2-319. Minor Permit Revisions
R18-2-320. Significant Permit Revisions
R18-2-321. Permit Reopenings; Revocation and Reissuance; Termination
R18-2-323. Permit Transfers
R18-2-330. Public Participation
R18-2-332. Stack Height Limitation
R18-2-334. Minor New Source Review
R18-2-401. Definitions
R18-2-402. General
R18-2-403. Permits for Sources Located in Nonattainment Areas
R18-2-404. Offset Standards

[1] November 2, 2015 (80 FR 67319)

Table A-2: CAA 110(a)(2) (C) – Enforcement of Control Measures
Limited Approved/Disapproved Rules
R18-2-405. Special Rule for Major Sources of VOC or Nitrogen Oxides in Ozone Nonattainment Areas Classified as Serious or Severe
R18-2-406. Permit Requirements for Sources Located in Attainment and Unclassifiable Areas
R18-2-407. Air Quality Impact Analysis and Monitoring Requirements
R18-2-409. Air Quality Models
R18-2-412. PALs

ADEQ
Arizona Department of Environmental Quality

Appendix B
Public Process

Air Quality Division
December 11, 2015 Final

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Public Notice

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY PUBLIC COMMENT PERIOD AND HEARING ON THE PROPOSED ARIZONA INFRASTRUCTURE STATE IMPLEMENTATION PLAN FOR THE 2012 PM2.5 NATIONAL AMBIENT AIR QUALITY STANDARDS

The Arizona Department of Environmental Quality (ADEQ) opens a 30-day public comment period on November 9, 2015, for the proposed Arizona Infrastructure State Implementation Plan for the 2012 PM2.5 National Ambient Air Quality Standards (NAAQS). The plan demonstrates that the state of Arizona has the regulatory structure in place to fully implement the 2012 $PM_{2.5}$ NAAQS.

A public hearing on the proposed attainment plan will be held at 1:00 p.m. on Wednesday, December 9, 2015, in room 3100B at the Arizona Department of Environmental Quality, 1110 West Washington St., Phoenix, AZ 85007. Interested persons are invited to attend and express their verbal and/or written views. To request an auxiliary aid or service for accessible communication, contact Alicia Pollard, Human Resources Assistant, at (602) 771-4791 or aap@azdeq.gov, or dial 7-1-1 for TTY/TTD Services.

During the 30 day comment period, the proposed plan is available for review Monday through Friday from 8:30 a.m. to 4:30 p.m. at the ADEQ Records Center, 1110 W. Washington St., Phoenix, AZ 85007, (602) 771-4712, and online on the ADEQ Air Quality Planning (SIPs) webpage at http://www.azdeq.gov/environ/air/plan/index.html in Air Quality Public Notices, Meetings, and Hearings.

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

Comments must be received by ADEQ no later than December 9, 2015, by 5:00 p.m. or submitted at the public hearing. This proposed attainment plan will be submitted to the U.S. EPA following consideration of all comments received during the public comment period and hearing.

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

AFFIDAVIT OF PUBLICATION

349479

ADEQ
AIR QUALITY DIVISION

15 NOV 16 PM 1:26

THE ARIZONA REPUBLIC

STATE OF ARIZONA
COUNTY OF MARICOPA } SS.

Manuel Vargas, being first duly sworn, upon oath deposes and says: That he is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

November 9, 10, 2015

Sworn to before me this
10TH day of
November A.D. 2015

BRIAN BILLINGS
Notary Public - Arizona
Maricopa County
My Commission Expires
July 25, 2018

Notary Public

6840 **State Agency Public Notices**

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY PUBLIC COMMENT PERIOD AND HEARING ON THE PROPOSED ARIZONA INFRASTRUCTURE STATE IMPLEMENTATION PLAN FOR THE 2012 PM2.5 NATIONAL AMBIENT AIR QUALITY STANDARDS

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Comments must be received by ADEQ no later than December 9, 2015, by 5:00 p.m. or submitted at the public hearing. This proposed attainment plan will be submitted to the U.S. EPA following consideration of all comments received during the public comment period and hearing.

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

Pub: Nov. 9, 10, 2015

Public Hearing Agenda

AIR QUALITY DIVISION

PUBLIC HEARING
ON THE PROPOSED
ARIZONA STATE IMPLEMENTATION PLAN (SIP) REVISION

ARIZONA INFRASTRUCTURE STATE IMPLEMENTATION PLAN FOR THE 2012 $PM_{2.5}$ NATIONAL AMBIENT AIR QUALITY STANDARDS

PLEASE NOTE THE MEETING LOCATION AND TIME:

Arizona Department of Environmental Quality
1110 W. Washington St., Phoenix, Arizona
3rd Floor Conference Room # 3100B
Wednesday, December 9, 2015, 1:00 PM

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

1. Welcome and Introductions
2. Purpose of the Oral Proceedings
3. Procedure for Making Public Comment
4. Brief Overview of the Proposed SIP Revision
5. Oral Comment Period
6. Adjournment of Oral Proceeding

Copies of the proposal are available for review at the ADEQ Records Center, First Floor, 1110 W. Washington Street, Phoenix, Arizona 85007, (602) 771-4712. The proposal can also be viewed online on the ADEQ Calendar for December 9, 2015 (http://www.azdeq.gov/cgi-bin/vertical.pl). For additional information regarding the hearing please contact Catherine Lucke-McDowell, ADEQ Air Quality Division, at (602) 771-4216.

To request an auxiliary aid or service for accessible communication, contact Alicia Pollard, Human Resources Assistant, at (602) 771-4791 or aap@azdeq.gov, or dial 7-1-1 for TTY/TTD Services. This document is also available in alternative formats by contacting ADEQ, TTD (602)771-4829.

PROPOSED ARIZONA AIR QUALITY INFRASTRUCTURE STATE IMPLEMENTATION PLAN REVISION FOR THE 2012 $PM_{2.5}$ NATIONAL AMEBIENT AIR QUALITY STANDARDS

Oral Proceeding

Hearing Transcript

December 9, 2015

Bruce Friedl: Good afternoon, thank you for coming. I now open this hearing on the proposed revision to Arizona's State Implementation Plan, or SIP, regarding the state infrastructure for the 2012 $PM_{2.5}$ National Ambient Air Quality Standards or NAAQS.

This proceeding is being recorded and will be preserved for the record.

Today is December 9, 2015, and the time is 1:10 p.m. The location is conference room 3100B at the Arizona Department of Environmental Quality, 1110 West Washington Street, Phoenix, Arizona 85007. My name is Bruce Friedl, and I have been appointed by the Director of the Arizona Department of Environmental Quality (ADEQ) to preside at this proceeding.

The purposes of this proceeding are to provide the public an opportunity to:
(1) Hear about the substance of the proposed SIP revision, and
(2) Present oral argument, data, and views regarding the revision in the form of comments on the record.

The Department representative for today's hearing is Catherine Lucke-McDowell of the Air Quality Division's State Implementation Plan Section.

Public notice of the SIP revision was published in the *Arizona Republic* on November 9 and 10, 2015, and was also provided on ADEQ's website. Paper copies of the proposed SIP revision

were made available at the ADEQ Phoenix Records Center starting on November 9, 2015, and will remain available until the close of comment period, which is 5:00 p.m. today.

If you wish to make a verbal comment, you need to fill out a speaker slip, which is available at the sign-in table, and give it to me. Using speaker slips allows everyone an opportunity to be heard and allows us to match the name on the official record with the comments. You may also submit written comments to me today.

Please note the comment period for the proposed SIP revision ends today, and all comments must be received by 5:00 p.m.

Comments made during the formal comment period are required by law to be considered by the Department when preparing the final State Implementation Plan submission for the Environmental Protection Agency. This is done through the inclusion of a responsiveness summary in which the Department responds in writing to written and oral comments made during the formal comment period and at today's hearing.

The agenda for this hearing is as follows:

First, we will present a brief overview of the proposed revision to the State Implementation Plan.

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

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

At this time, Catherine Lucke-McDowell will give a brief overview of the proposed revision for the 2012 $PM_{2.5}$ standards. Catherine?

Catherine Lucke-McDowell: Thanks, Bruce.

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

This State Implementation Plan (SIP) revision addresses these requirements for the 2012 $PM_{2.5}$ National Ambient Air Quality Standards. The submitted document supports adequate infrastructure in place to maintain and enforce the standards promulgated in 2012 for $PM_{2.5}$. All elements of the Clean Air Act section 110(a)(2) have been addressed in this document, including upcoming county and state rule changes.

* * * * *

Mr. Friedl: Thank you.

This concludes the explanation period of this proceeding on the proposed revision to the State Implementation Plan.

* * * * *

I now open this proceeding for oral comments.

I have received no speaker slips. Does anyone wish to make a comment?

Ok. This concludes the oral comment period of this proceeding.

* * * * *

If you have not already submitted written comments, you may submit them to me at this time. Again, the comment period for this proposed SIP revision ends today at 5:00 p.m.

Thank you for attending.

The time is now 1:15 p.m. I now close this oral proceeding.

ADEQ
Arizona Department of Environmental Quality

Air Quality Division Sign-In Sheet

Please Sign In

SUBJECT: AZ Infrastructure SIP for the 2012 $PM_{2.5}$ National Ambient Air Quality Standards **DATE:** 12/9/15

	NAME	ORGANIZATION	PHONE	E-MAIL (primary method of contact)
1.	Alan Rakow	RDD Equip	619 857 7409	ARAKOW@RDDequipment.com
2.	Aaron Welch	CAP	623-869-2145	awelch@cap-az.com
3.	Steve Rottas	CAP	623-869-3225	srottas@cap-az.com
4.	Kaibah Tsosie	ADEQ		ksta@azdeq.gov
5.	Bruce Friedl	ADEQ	602-771-2259	friedl.bruce@azdeq.gov
6.	Catherine Lucke-Mitchell	ADEQ	602 771 4216	CLT@azdeq.gov
7.				

ADEQ
Arizona Department of Environmental Quality

Air Quality Division

Public Hearing Presiding Officer Certification

I, **Bruce J. Friedl**, the designated Presiding Officer, do hereby certify that the public hearing held by the Arizona Department of Environmental Quality was conducted on **December 9, 2015** at the Arizona Department of Environmental Quality, Conference Room **3100B**, 1110 West Washington Street, Phoenix, Arizona, in accordance with public notice requirements by publication in *The Arizona Republic* beginning **November 9, 2015**. Furthermore, I do hereby certify that the public hearing was recorded from the opening of the public record through concluding remarks and adjournment, and the transcript provided contains a full, true, and correct record of the above-referenced public hearing.

Dated this 9 day of December 2015.

State of Arizona)
) ss.
County of Maricopa)

Subscribed and sworn to before me on this 9 day of December, 2015

Notary Public State of Arizona
Maricopa County
Laura McFarland
My Commission Expires 04/02/2016

Laura M. Farland
Notary Public

My commission expires: 4/2/16

Responsiveness Summary

Response to Testimony Taken at Oral Proceedings and Written Comments Received on Arizona State Implementation Plan Revision for The Arizona 2012 $PM_{2.5}$ Infrastructure State Implementation Plan

The oral proceeding on the *State Implementation Plan (SIP) Revision, Arizona 2012 $PM_{2.5}$ Infrastructure State Implementation Plan* was held on Wednesday, December 9, 2015, at 1:00 p.m. in the Arizona Department of Environmental Quality (ADEQ) Conference Room 3100B, 1110 West Washington Street, Phoenix, Arizona. The public comment period closed on Wednesday, December 9, 2015, at 5:00 p.m. No oral or written comments were received by ADEQ for this SIP revision.

During its final review of the proposed revision, ADEQ determined further clarifications were needed. These clarifications are described below:

1. In Table 2-9: CAA 110(1)(2)(K) ADEQ added the date approved into the Arizona SIP for R18-2-334 and R18-2-406.