

**PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROCEDURE**

POLICY NO.: Technical Procedure, TECH-212

EFFECTIVE DATE: December 12, 2005

**POLICY: RULE INTERPRETATION, TITLE 17 OF THE PIMA COUNTY CODE (PCC)**

In order to provide the public with a consistent interpretation of Title 17 of the Pima County Code, Department staff shall adhere to the following procedure when assessing the applicability of PCC §17.16.230.E. and storage vessels of petroleum liquids.

**PURPOSE:** The purpose of this technical policy is to ensure consistent application of the rule throughout all Department Divisions.

**PROCEDURE:** When assessing the applicability of 17.16.230.E in permitting or enforcement, the rule shall only be applicable if the petroleum liquid storage vessel has a capacity of more than 40,000 gallons.

**JUSTIFICATION:** It is the department's position that the requirements of 17.16.230.E are specific for storage vessels **greater** than 40,000 gallons only since no environmental benefit is added by requiring the burdensome recordkeeping provisions on those sources with tanks less than 40,000 gallons.

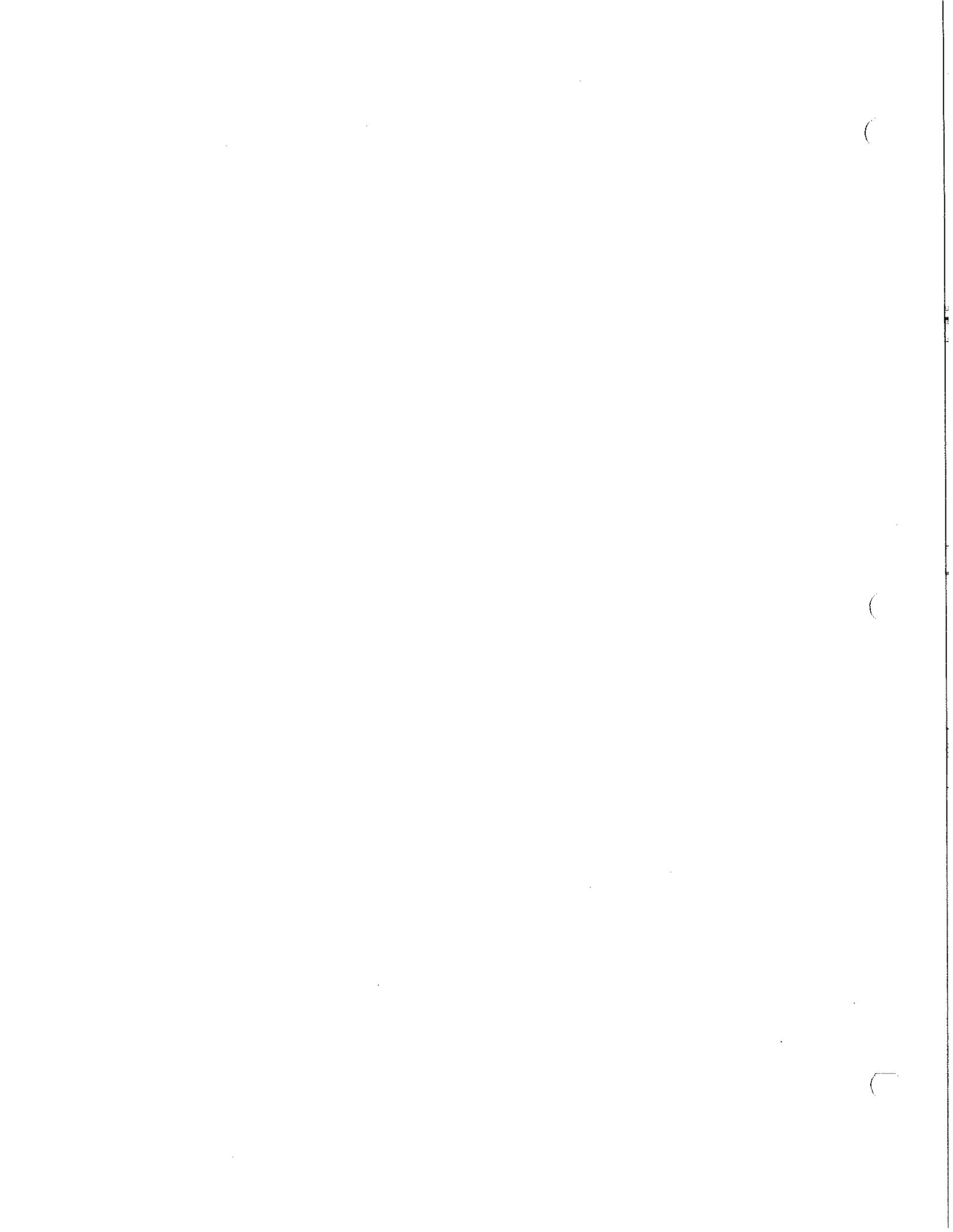
Pima County Code 17.16.230.E should be considered in conjunction with 17.16.230.A, which requires specific limitations with respect to Reid vapor pressure and vapor loss control devices for storage vessels greater than 40,000 gallons.

APPROVED BY:

  
Ursula Kramer  
Director

Date

Original Policy Approved: October 20, 2005  
Date(s) Revised: December 12, 2005



**IM** Please print and press hard.

Date: 12/29/05  
Sender's FedEx Account Number: 1328-7583-9

Shipper's Name: Richard Grimaldi  
Phone: (520) 740-3330

Company: PIMA CNTY/ENVIRONMENTAL QUALITY

Address: 150  
130 W CONGRESS ST

City: TUCSON State: AZ ZIP: 85701

Internal Billing Reference: OPTIONAL

Shipper's Name: Mary Turner  
Phone: ( )

Company: Administrative Register Editor

Address: Az Secretary of State

Address: 1700 West Washington, 7th floor

City: Phoenix State: AZ ZIP: 85007-2888

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0167443283

**4a Express Package Service** Packages up to 150 lbs. Delivery commitment may be later in some areas.

FedEx Priority Overnight Next business morning

FedEx Standard Overnight Next business afternoon

FedEx First Overnight Earliest next business morning delivery to select locations

FedEx 2Day\* Second business day

FedEx Express Saver\* Third business day

\* FedEx Envelope/Letter Note not available. Maximum charge: One-pound rate.

**4b Express Freight Service** Packages over 150 lbs. Delivery commitment may be later in some areas.

FedEx 1Day Freight\* Next business day

FedEx 2Day Freight Second business day

FedEx 3Day Freight Third business day

\* Call for Confirmation.

\* Declared value FedEx \$500

**5 Packaging**

FedEx Envelope/Letter\*

FedEx Pak\*

Other Pkg. Includes FedEx Box, FedEx Tube, and custom pkg.

**6 Special Handling** Includes FedEx address in Section 3.

SATURDAY Delivery RESTRICTIONS Available only for FedEx Priority Overnight and FedEx 2Day to select ZIP codes.

SUNDAY Delivery RESTRICTIONS Available only for FedEx Priority Overnight to select ZIP codes.

HOLD Weekday at FedEx Location RESTRICTIONS Not available with FedEx First Overnight.

HOLD Saturday at FedEx Location RESTRICTIONS Available only for FedEx Priority Overnight and FedEx 2Day to select locations.

Does this shipment contain dangerous goods?  
One box must be checked.

No

Yes As per attached Shipper's Declaration

Yes Shipper's Declaration not required

Dry Ice Dry Ice, 9, UN 1845 x kg

Dangerous Goods cannot be shipped in FedEx packaging.  Cargo Aircraft Only

**7 Payment Bill to:** Enter FedEx Acct. No. or Credit Card No. below.

Sender Acct. No. in Section 1 will be billed.

Recipient

Third Party

Credit Card

Cash/Check

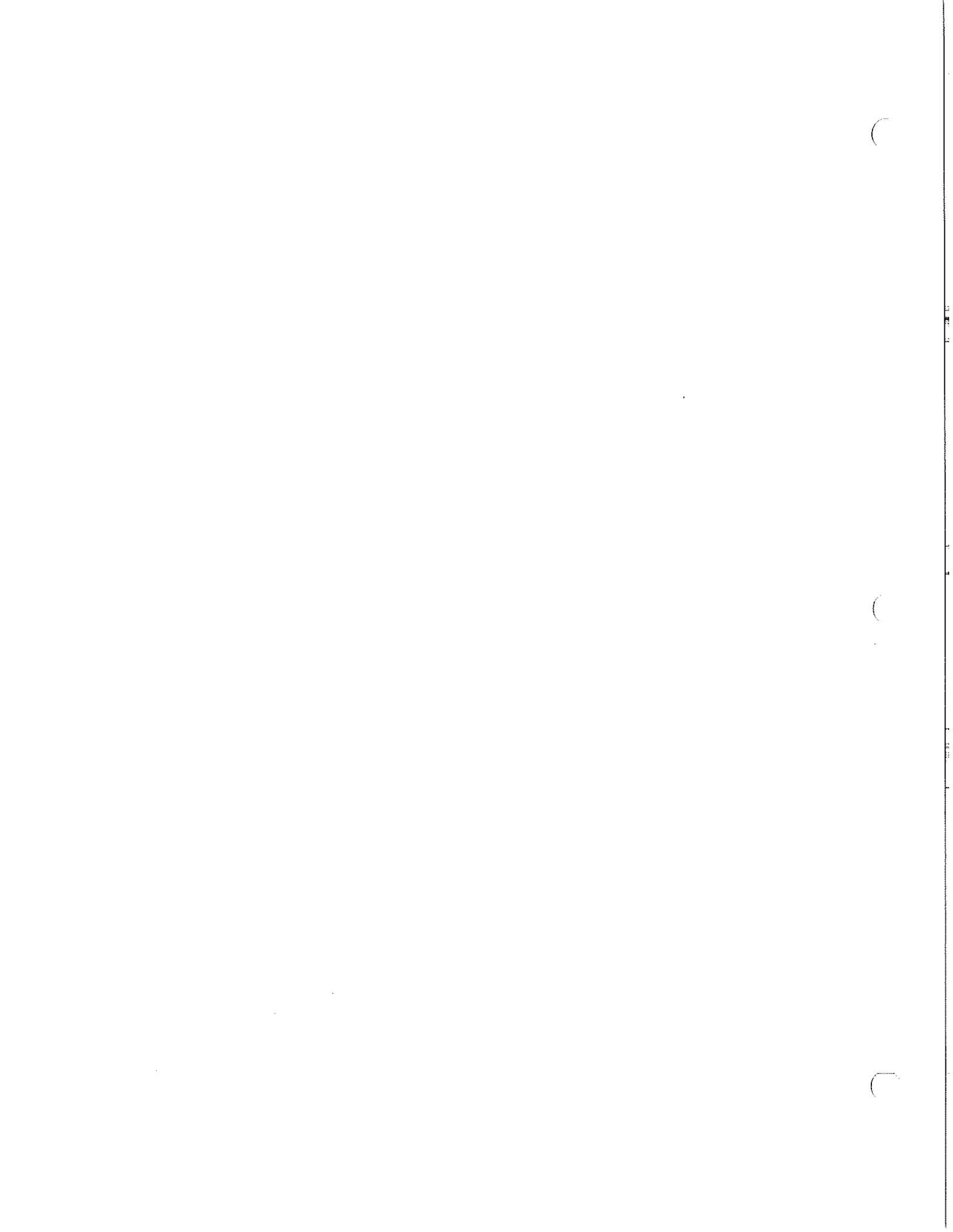
| FedEx Acct. No. / Credit Card No. | Exp. Date             |
|-----------------------------------|-----------------------|
| Total Packages                    | Total Weight          |
|                                   | Total Declared Value* |
|                                   | \$ .00                |

\*Our liability is limited to \$100 unless you declare a higher value. See back for details. FedEx Use Only

**8 Release Signature** Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

402



COPY



**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
150 West Congress Street  
Tucson, Arizona 85701-1317

Ursula Kramer  
Director

(520) 740-3340  
FAX (520) 882-7709

December 28, 2005

Ms. Mary Turner  
Administrative Register Editor  
Arizona Secretary of State  
1700 West Washington, Seventh Floor  
Phoenix, AZ 85007-2888

Dear Ms. Turner:

Enclosed please find our submittal for publication in the January 20, 2006 Arizona Register. This is a "Notice of Substantive Policy Statement."

Please return copies of the "time stamped" receipt, agency certificate, and notice to Vicki Bennie, Executive Administrative Assistant, at the above address.

If there are any questions regarding the material submitted, please contact me at (520) 740-3332.

Thank you for your assistance in this matter.

Best Regards,

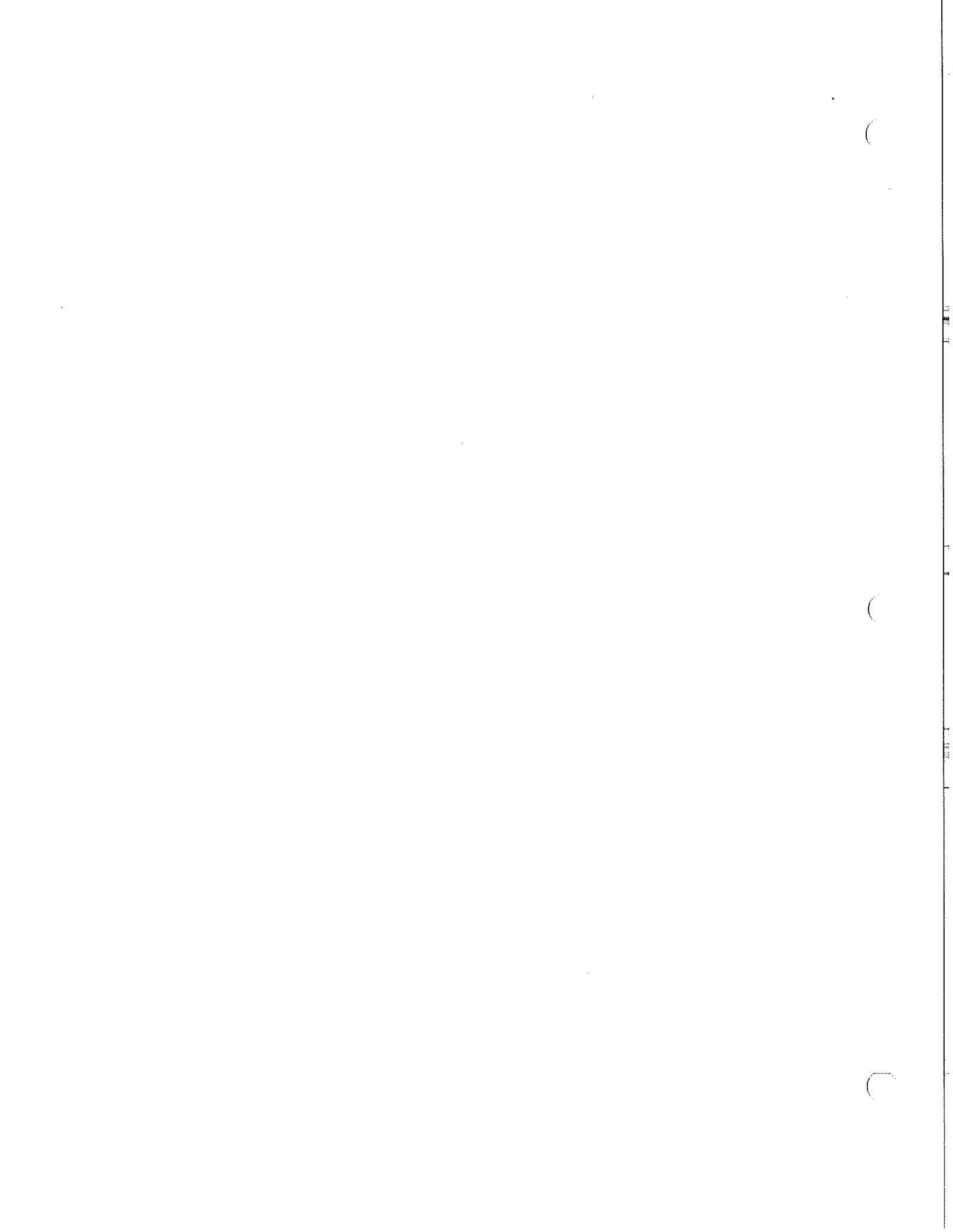
A handwritten signature in black ink, appearing to read "R. Grimaldi".

Richard Grimaldi  
PDEQ Deputy Director

RG/vlb

Enclosure: Notice of Substantive Policy Statement – Chapter 17.16

cc: Ursula Kramer, PDEQ Director



AGENCY RECEIPT

NOTICE OF SUBSTANTIVE POLICY STATEMENT

PURSUANT TO A.R.S. § 49-112 (A) or (B), § 49-471.04 and § 49-471.08

1. Agency Name: Pima County Department of Environmental Quality
2. The Subchapters, if applicable; the Articles; the Parts; if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:

| <u>Subchapter Affected</u>  | <u>Action</u>                       |
|---|-------------------------------------|
| Chapter 17.16   | <b>Substantive Policy Statement</b> |
| <u>Subchapters, Articles, Parts and Sections</u>                        | <u>Action</u>                       |
| Article IV. New and Existing Stationary Source<br>Performance Standards | <b>Substantive Policy Statement</b> |
| <u>Sections</u>   |                                     |
| PCC 17.16.230.E.  | <b>Substantive Policy Statement</b> |

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AGENCY CERTIFICATE

NOTICE OF SUBSTANTIVE POLICY STATEMENT

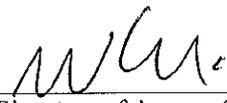
PURSUANT TO A.R.S. § 49-112 (A) OR (B), § 49-471.04 and § 49-471.08

- 1. Agency name: Pima County Department of Environmental Quality
- 2. Chapter heading: Pima County Code Air Quality Control  
Chapter 17.16 – Emission Limiting Standards
- 3. Code Citation for the Chapter: PCC 17.16.230.E – Standards of performance for storage vessels for petroleum liquids
- 4. The Subchapters, if applicable; the Articles; the Parts; if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:

Article IV. New and Existing Stationary Source Performance Standards

| <u>Subchapters, Articles, Parts and Sections</u> | <u>Action</u>                |
|--|------------------------------|
| PCC 17.16.230.E.                                 | Substantive Policy Statement |

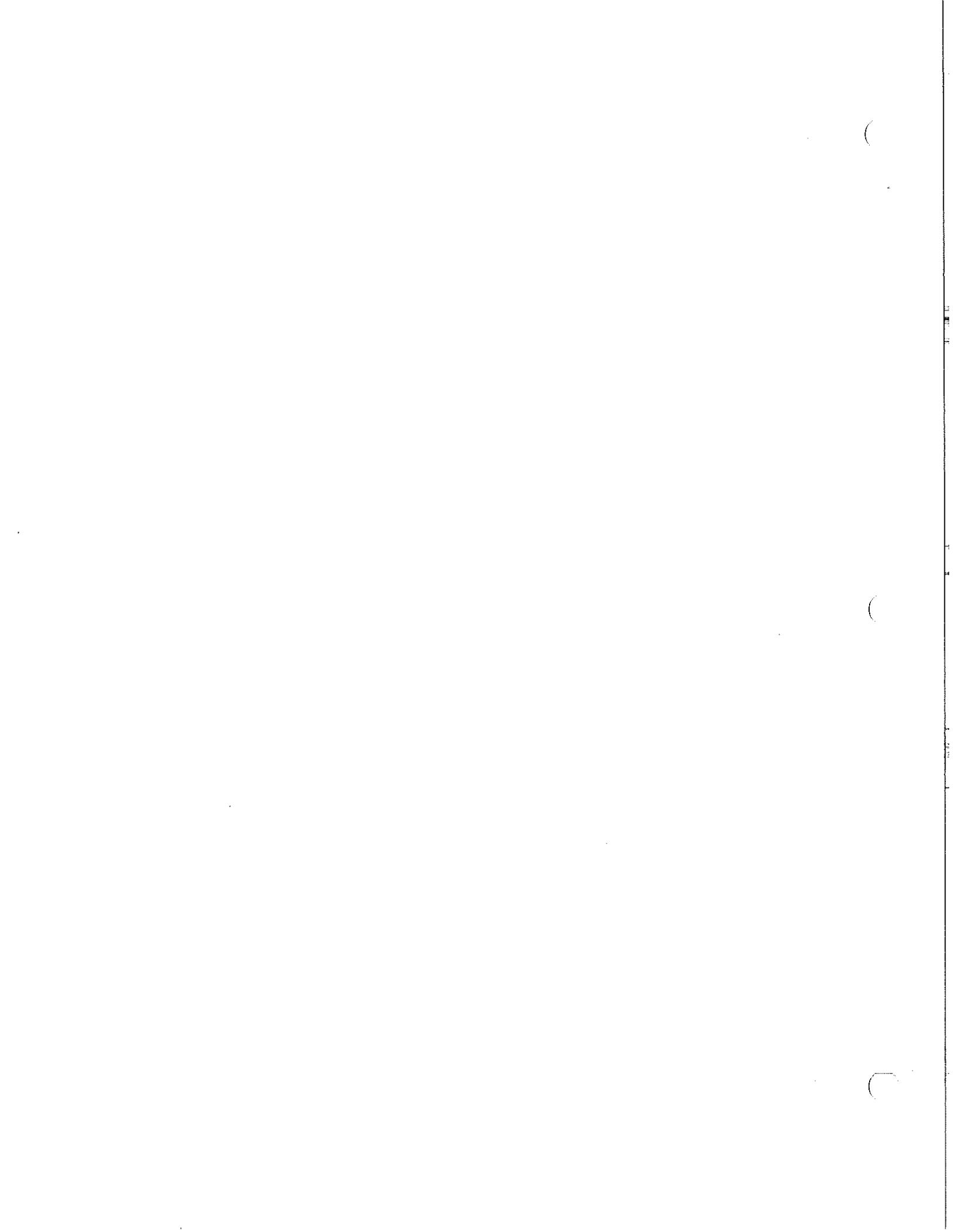
- 5. The rules contained in this package are true and correct as proposed.

6.   
Signature of Agency Chief Executive Officer

12/28/05  
Date of Signing

Richard Grimaldi  
Printed or Typed Name

Deputy Director  
Title



**NOTICE OF SUBSTANTIVE POLICY STATEMENT  
PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referred:**

TECH 212, Rule Interpretation, Title 17 of the Pima County Code (PCC)

- 2. Date of the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

October 20, 2005 (date of issuance/effect)

- 3. Summary of the contents of the substantive policy statement:**

This policy statement establishes the applicability of record keeping provisions to sources only with storage vessels greater than 40,000 gallons as required by Pima County Code 17.16.230.E. – Standards of Performance for Storage Vessels for Petroleum Liquids.

“This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the department and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedures Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.”

- 4. A statement as to whether the substantive policy statement is a new statement or a revision:**

New policy statement

- 5. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Richard Grimaldi  
Deputy Director

Address: Pima County Department of Environmental Quality  
150 W. Congress, Room 109  
Tucson, Arizona 85701

Telephone: (520) 740-3332  
FAX: (520) 882-7709

E-Mail: [richard.grimaldi@deq.pima.gov](mailto:richard.grimaldi@deq.pima.gov)

The policies are available on our website at [www.deq.pima.gov](http://www.deq.pima.gov) or copies will be provided for 20 cents per page.

