

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

POLICY NO.: Technical Procedure, TECH-213

EFFECTIVE DATE: March 30, 2006

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 §17.12.035.A.4 & A.5 and the Affirmative Defenses for Excess Emissions Due to Malfunctions, Startup, and Shutdown.

PURPOSE: The purpose of this technical policy is to clarify the application of the rules referenced above for the department and the public.

PROCEDURE: When assessing the applicability of PCC 17.12.035.A.4 in permitting or enforcement, the rule shall not be applicable because PCC 17.12.035.A.4 incorrectly cited PCC 17.12.280.F and should have referenced PCC 17.16.280.F which has been intentionally removed from the PCC.

JUSTIFICATION: This rule was deleted from the PCC because only the Arizona Department of Environmental Quality (ADEQ) has jurisdiction over Copper Smelters in the state of Arizona. Therefore, there is no need for Pima County to have this performance standard in the rule.

PROCEDURE: When assessing the applicability of PCC 17.12.035.A.5 in permitting or enforcement, the referenced rule in this section shall be considered to reference to PCC 17.16.590.A.5.

JUSTIFICATION: This rule was clearly intended to refer to emission increases allowed by the air impact (BACT) analysis specified in 17.16.590. Due to a typographical error when revising the code, PCC 17.16.590 was inadvertently referred to as 17.12.590.

APPROVED BY:

 3.31.06

Ursula Kramer

Director

Date

Original Policy Approved: March 30, 2006

Date(s) Revised: