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Ursula Kramer Nelson, P.E.  
Director

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January 30, 2020

CERTIFIED MAIL: 7016 0910 0000 1113 7571

Ms. Elizabeth Adams  
Director, Air Program  
U.S. EPA Region 9  
75 Hawthorne Street (AIR-1)  
San Francisco, CA 94105

Subject: NSPS and NESHAP Delegation Request from the Pima County Department of Environmental Quality

Dear Ms. Adams:

The Pima County Department of Environmental Quality (PDEQ) requests formal delegation of authority to implement and enforce promulgated New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP). The Clean Air Act authority for delegation is found in Section 111(c) for NSPS and Section 112(l) for NESHAP. PDEQ's mechanism for obtaining the regulatory authority necessary to accept delegation is through incorporation of the federal rules by reference into the Pima County Code Title 17 - Air Quality Control.

In a letter dated February 8, 2017, the U.S. EPA approved a similar request from PDEQ for delegation. Since its last request dated November 30, 2016, PDEQ has incorporated the following federal rules by reference into Pima County Code (PCC) Title 17-Air Quality Control (Attachment 1: PCC Ordinance 2019-28):

**40 CFR 60 as they existed on July 1, 2019:**

- Subpart XXX - Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
- Subpart OOOOa - Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015
- Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units

**40 CFR 63 as they existed on July 1, 2019:**

- Subpart Y - National Emission Standards for Marine Tank Vessel Loading Operations
- Subpart NN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources

PDEQ is requesting delegation for each of these standards. PDEQ has updated the adoption by reference date for previous NSPS and NESHAP delegations to July 1, 2019.

Letter to Ms. Adams, U.S. EPA  
RE: NSPS and NESHAP Delegation Request  
January 30, 2020  
Page Two

PDEQ is also requesting delegation of 40 CFR 63 Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. This standard was incorporated into PCC by ordinance number 2016-42 (Attachment 2).

Also, PDEQ would like to request an update to the tables for delegation of NSPS at 40 CFR 60.4(d)(1) (Attachment 3) and delegation of the NESHAP at 40 CFR 63.99(a)(3) (Attachment 4). PDEQ is requesting the delegation of the following standards:

**40 CFR 60 as they existed on July 1, 2019:**

- Subpart Ga - Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011 – incorporated into PCC by ordinance number 2016-42 (Attachment 2).
- Subpart RRR - Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes – incorporated into PCC by ordinance number 1994-83 (Attachment 5).

**40 CFR 63 as they existed on July 1, 2019:**

- Subparts IIII - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks Processes – incorporated into PCC by ordinance number 2005-43 (Attachment 6).
- Subpart PPPP - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products – incorporated into PCC by ordinance number 2005-43 (Attachment 6).
- Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines – incorporated into PCC by ordinance number 2005-43 (Attachment 6).

PDEQ acknowledges that delegation constitutes our agreement to follow all applicable provisions of 40 CFR Parts 60, 61, and 63, including the use of U.S. EPA's test methods and procedures. We also understand that U.S. EPA retains the exclusive right for authorizing approval of equivalent and alternative control technologies and test methods. Therefore, we understand that the applicable subsections of the requested NSPS and NESHAP may not be delegated.

I hereby certify that the information contained in this request is correct to the best of my current knowledge and belief. If you have any questions or concerns, please do not hesitate to contact me by phone at (520) 724-7400.

Sincerely,



Ursula Kramer Nelson, P.E.  
Director

Attachments (6)

cc: Andrew Steckel, U.S. EPA, Region 9 via e-mail  
Jeff Buss, Air Standards Delegation, U.S. EPA, Region 9 via e-mail  
Richard Grimaldi, PDEQ Deputy Director via e-mail

**Attachment 1**  
January 30, 2020

**Pima County Code  
Ordinance 2019-28  
Title 17 - Air Quality Control**

**40 CFR PARTS 60, 61, and 63  
ADOPTED BY REFERENCE  
Effective January 17, 2020**

**Presented to U.S. EPA, Region IX**

**Pima County Department of Environmental Quality  
33 N Stone Ave., Suite 700  
Tucson, AZ 85701**



P0230  
PIMA CO CLERK OF THE BOARD  
PICKUP

**ORDINANCE NUMBER 2019-28**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO AIR QUALITY; AMENDING THE PIMA COUNTY CODE BY AMENDING TITLE 17, CHAPTERS 17.04, 17.11, 17.12, AND 17.16 TO UPDATE AND ADOPT NEW INCORPORATIONS BY REFERENCE OF THE FOLLOWING FEDERAL REGULATIONS: ACID RAIN, NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP), NEW SOURCE PERFORMANCE STANDARDS (NSPS), AND OTHER PARTS OF TITLE 40 CODE OF FEDERAL REGULATIONS.**

**THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, FINDS THAT:**

1. The Pima County Board of Supervisors as the governing body for the Pima County Air Quality Control District adopts air quality ordinances under the statutory authority of Arizona Revised Statutes Title 49, Chapter 3, Article 3.
2. The Pima County Air Quality Control District operates within the Pima County Department of Environmental Quality.
3. The intention of this ordinance is to conform to the Code of Federal Regulations (CFR) in an effort to achieve consistency and accuracy in Title 17 of the Pima County Code. This ordinance adopts new and updated incorporations by reference of the following federal regulations: Acid Rain, National Emission Standards for Hazardous Air Pollutants (NESHAP), New Source Performance Standards (NSPS), and other parts of Title 40 CFR. The federal regulations for Acid Rain, NESHAP, and the NSPS in effect July 1, 2019 are incorporated. This ordinance also updates definitions and makes minor grammatical updates.

**IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, AS FOLLOWS:**

**Section 1:** Chapter 17.04, Sections 17.04.070 and 17.04.340 of the Pima County Code are amended to read as follows:

**Chapter 17.04 - GENERAL PROVISIONS**

**Article III. Incorporated Materials**

**17.04.070 - Incorporated materials.**

- C. All parts of the CFR referenced in this Title are amended as of ~~July 1, 2015~~ July 1, 2019, as applicable requirements and no future editions or amendments unless specifically indicated otherwise.

**... Article IX. - Definitions and Meanings**

**17.04.340 - Words, phrases, and terms.**

- A. Definitions.

250. "Volatile organic compounds (VOC)" ...

- xx. propylene carbonate;
- yy. dimethyl-carbonate;
- zz. trans-1,3,3,3-tetrafluoropropene; (HCF2OCF2H or HFE-134);
- aaa. HCF2OCF2H (HFE-134);
- bbb. HCF2OCF2OCF2H (HFE-236cal2);
- ccc. HCF2OCF2CF2OCF2H (HFE-338pcc13);
- ddd. HCF2OCF2OCF2CF2OCF2H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180));
- eee. trans 1-chloro-3,3,3-trifluoroprop-1-ene;
- zz-fff. 2,3,3,3-tetrafluoropropene (HFO-1234yf);
- ggg. 2-amino-2-methyl-1-propanol;
- hhh. t-butyl acetate;
- iii. 1,1,2,2- Tetrafluoro -1-(2,2,2-trifluoroethoxy) ethane;
- jjj. cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z);
- aaa-kkk. Perfluorocarbon . . .
- bbb-lll. The following compound(s) . . .

Section 2: Chapter 17.11, Article II, Section 17.11.160 of the Pima County Code is amended to read as follows:

**Chapter 17.11 - GENERAL PROVISIONS FOR PERMITS**

**Article II. - General Provisions for Stationary Source Permits**

**17.11.160 - Test methods and procedures.**

- A. The following test methods and protocols are approved for use as directed by the department under this chapter. These standards adopted as of ~~July 1, 2015~~ July 1, 2019, and no future editions or amendments, are incorporated by reference as applicable requirements. These standards are on file with the department and are also available from the U.S. Government ~~Printing~~ Publishing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

Section 3: Chapter 17.12, Article I, Sections 17.12.040 and 17.12.070 of the Pima County Code are amended to read as follows:

**Chapter 17.12 - INDIVIDUAL PERMITS AND PERMIT REVISIONS FOR CLASS I PERMITS**

**Article I. - Application Processing and Procedures**

**17.12.040 - Permit contents for Class I permits.**

- A. Each permit . . .
  - 3. Each permit . . .
    - b. 40 CFR 64 adopted ~~July 1, 2015~~ July 1, 2019 and no future editions or amendments, is incorporated by reference as applicable requirements and on file with the department and shall be applied by the department. If more than one monitoring or testing requirement applies, the permit may specify a streamlined set of monitoring or testing provisions if the specified monitoring or testing is adequate to assure compliance at least to the same extent

as the monitoring or testing applicable requirements not included in the permit as a result of such ~~the~~ streamlining;

#### 17.12.070 - Acid Rain.

- A. 40 CFR 72, 74, 75, and 76, and all accompanying appendices, adopted as of July 1, 2015 ~~July 1, 2019~~, and no future editions or amendments are incorporated by reference as applicable requirements. These standards are on file with the department and shall be applied by the department. These standards can be obtained from the U.S. Government ~~Printing~~ Publishing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

**Section 4:** Chapter 17.16, Sections 17.16.390, 17.16.490, and 17.16.530 of the Pima County Code are amended to read as follows:

#### Chapter 17.16 - EMISSION LIMITING STANDARDS

#### Article IV. - New and Existing Stationary Source Performance Standards

#### 17.16.390 - Standards of performance for existing municipal solid waste landfills.

- A. This section applies to each municipal solid waste landfill (MSW landfill) at which:
1. Construction, reconstruction, or modification began on or before May 30, 1991 ~~July 17, 2014~~; and
  2. Waste was accepted at any time since November 8, 1987, or additional design capacity is available for future waste deposition.
- B. For the purposes of this section, "Municipal Solid Waste Landfill or MSW Landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA (Resource Conservation and Recovery Act) Subtitle D wastes such as commercial solid waste nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned.
- C. MSW landfills covered by this section shall comply with 40 CFR 60, Subpart ~~WWW~~ Cf, effective as of the date of EPA approval of the state plan under section 111(d) of the Act, as modified by this subsection. 40 CFR 60, Subpart WWW, "Standards of Performance for Municipal Solid Waste Landfills," is incorporated by reference in 17.16.490 will remain in effect until Arizona's state plan implementing 40 CFR 60 Subpart Cf is approved by the EPA. 40 CFR 60, Subpart Cf "Emissions Guidelines and Compliance Times for Municipal Solid Waste Landfills," as adopted on August 29, 2016 (and no future amendments) is hereby incorporated by reference as applicable requirements. MSW landfills may meet the requirements of Subpart Cf by complying with 40 CFR 60, Subpart XXX. 40 CFR 60 Subpart XXX "Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction or Modification After July 17, 2014," is incorporated by reference in Section 17.16.490.
1. ~~Definitions. In addition to the definitions in 40 CFR 60.751, "Administrator" means the director of the Pima County Department of Environmental Quality.~~
  2. ~~Reporting. Each MSW landfill shall comply with the reporting requirements of 40 CFR 60.757. The initial design capacity report and initial NMOC emission rate report shall be due 90 days after the effective date of this rule.~~
  3. ~~Design plan. An MSW landfill that is required to install a collection and control system shall submit a design plan for the system to the control officer with the Standard Permit Application Form not later than 12 months after it submitted or should have submitted an NMOC emission rate report indicating emissions greater than 50 Mg per year. The design plan shall be prepared~~

by a professional engineer registered in Arizona. The control officer shall not approve the design plan if it does not meet the requirements of 40 CFR 60.752(b)(2)(ii).

4. ~~System installation. An MSW landfill that is required to install a collection and control system shall complete installation of the system not later than 30 months after the effective date of this rule.~~
5. ~~An MSW landfill that first becomes subject to the collection and control system requirement after the effective date of this rule shall submit a design plan for the system to the control officer not later than 12 months after it submitted or should have submitted an NMOC emission rate report indicating emissions greater than 50 Mg per year.~~

## Article VI. - New Source Performance Standards

### 17.16.490 - Standards of performance for new stationary sources (NSPS).

- A. Except as provided in subsections B, C and D of this Section, and Sections 17.16.500 through 17.16.520, the following subparts of 40 CFR 60, New Source Performance Standards (NSPS), and all accompanying appendices, adopted as of ~~February 1, 2008~~ July 1, 2019, unless otherwise specified, and no future editions or amendments are incorporated by reference as applicable requirements. These standards are on file with the department and shall be applied by the department. These standards can be obtained from the U.S. Government ~~Printing~~ Publishing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

<u>80.</u>	<u>Subpart XXX - Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014.</u>
<u>80-81.</u>	Subpart AAAA . . .
<u>81-82.</u>	Subpart CCCC . . .
<u>82-83.</u>	Subpart EEEE . . .
<u>83-84.</u>	Subpart IIII . . .
<u>84-85.</u>	Subpart JJJJ . . .
<u>85-86.</u>	Subpart KKKK . . .
<u>86-87.</u>	Subpart LLLL . . .
<u>87-88.</u>	Subpart OOOO . . .
<u>89.</u>	<u>Subpart OOOOa—Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015.</u>
<u>88-90.</u>	Subpart QQQQ . . .
<u>91.</u>	<u>Subpart TTTT—Greenhouse Gas Emissions for Electric Generating Units.</u>

## Article VII. National Emission Standards for Hazardous Air Pollutants

### 17.16.530 - National Emissions Standards for Hazardous Air Pollutants (NESHAP).

- A. Except as provided in subsections B, C, and D of this Section, the following subparts of 40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPs), and all accompanying appendices, adopted as of ~~July 1, 2015~~ July 1, 2019, and no future editions or amendments, are incorporated by reference as applicable requirements. These standards are on file with the department and shall be applied by the department. These standards can be obtained from the U.S. Government ~~Printing~~ Publishing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.
- B. Except as provided in subsection A, the following subparts of 40 CFR 63, NESHAPs for Source Categories, and all accompanying appendices, adopted as of ~~July 1, 2015~~ July 1, 2019, and no future editions or amendments, are incorporated by reference as applicable requirements. These standards are on file with the department and shall be applied by the department. These standards

can be obtained from the U.S. Government ~~Printing~~Publishing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

<u>20.</u>	<u>Subpart Y - National Emission Standards for Marine Tank Vessel Loading Operations.</u>
<u>20-21.</u>	Subpart AA ...
<u>21-22.</u>	Subpart BB ...
<u>22-23.</u>	Subpart CC ...
<u>23-24.</u>	Subpart DD ...
<u>24-25.</u>	Subpart EE ...
<u>25-26.</u>	Subpart GG ...
<u>26-27.</u>	Subpart HH ...
<u>27-28.</u>	Subpart JJ ...
<u>28-29.</u>	Subpart KK ...
<u>29-30.</u>	Subpart LL ...
<u>30-31.</u>	Subpart MM ...
<u>32.</u>	<u>Subpart NN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources.</u>
<u>31-33.</u>	Subpart OO ...
<u>32-34.</u>	Subpart PP ...
<u>33-35.</u>	Subpart QQ ...
<u>34-36.</u>	Subpart RR ...
<u>35-37.</u>	Subpart SS ...
<u>36-38.</u>	Subpart TT ...
<u>37-39.</u>	Subpart UU ...
<u>38-40.</u>	Subpart VV ...
<u>39-41.</u>	Subpart WW ...
<u>40-42.</u>	Subpart XX ...
<u>41-43.</u>	Subpart YY ...
<u>42-44.</u>	Subpart CCC ...
<u>43-45.</u>	Subpart DDD ...
<u>44-46.</u>	Subpart EEE ...
<u>45-47.</u>	Subpart GGG ...
<u>46-48.</u>	Subpart HHH ...
<u>47-49.</u>	Subpart III ...
<u>48-50.</u>	Subpart JJJ ...
<u>49-51.</u>	Subpart LLL ...
<u>50-52.</u>	Subpart MMM ...
<u>51-53.</u>	Subpart NNN ...
<u>52-54.</u>	Subpart OOO ...
<u>53-55.</u>	Subpart PPP ...
<u>54-56.</u>	Subpart QQQ ...
<u>55-57.</u>	Subpart RRR ...
<u>56-58.</u>	Subpart TTT ...
<u>57-59.</u>	Subpart UUU ...
<u>58-60.</u>	Subpart VVV ...
<u>59-61.</u>	Subpart XXX ...
<u>60-62.</u>	Subpart AAAA ...
<u>61-63.</u>	Subpart CCCC ...
<u>62-64.</u>	Subpart DDDD ...
<u>63-65.</u>	Subpart EEEE ...
<u>64-66.</u>	Subpart FFFF ...
<u>65-67.</u>	Subpart GGGG ...
<u>66-68.</u>	Subpart HHHH ...
<u>67-69.</u>	Subpart IIII ...
<u>68-70.</u>	Subpart JJJJ ...
<u>69-71.</u>	Subpart KKKK ...

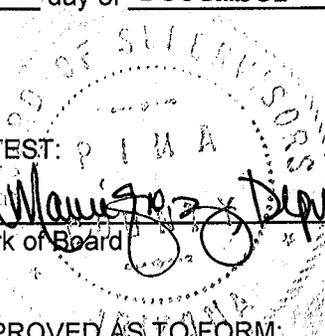
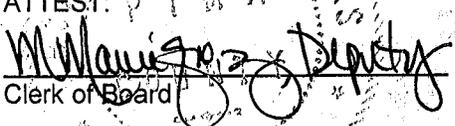
<u>70.72.</u>	Subpart MMMM ...
<u>71.73.</u>	Subpart NNNN ...
<u>72.74.</u>	Subpart OOOO ...
<u>73.75.</u>	Subpart PPPP ...
<u>74.76.</u>	Subpart QQQQ ...
<u>76.77.</u>	Subpart RRRR ...
<u>76.78.</u>	Subpart SSSS ...
<u>77.79.</u>	Subpart TTTT ...
<u>78.80.</u>	Subpart UUUU ...
<u>79.81.</u>	Subpart VVVV ...
<u>80.82.</u>	Subpart WWWW ...
<u>81.83.</u>	Subpart XXXX ...
<u>82.84.</u>	Subpart YYYY ...
<u>83.85.</u>	Subpart ZZZZ ...
<u>84.86.</u>	Subpart AAAAA ...
<u>85.87.</u>	Subpart BBBBB ...
<u>86.88.</u>	Subpart CCCCC ...
<u>87.89.</u>	Subpart DDDDD ...
<u>88.90.</u>	Subpart EEEEE ...
<u>89.91.</u>	Subpart FFFFF ...
<u>90.92.</u>	Subpart GGGGG ...
<u>91.93.</u>	Subpart HHHHH ...
<u>92.94.</u>	Subpart IIIII ...
<u>93.95.</u>	Subpart JJJJJ ...
<u>94.96.</u>	Subpart KKKKK ...
<u>95.97.</u>	Subpart LLLLL ...
<u>96.98.</u>	Subpart MMMMM ...
<u>97.99.</u>	Subpart NNNNN ...
<u>98.100.</u>	Subpart PPPPP ...
<u>99.101.</u>	Subpart QQQQQ ...
<u>100.102.</u>	Subpart RRRRR ...
<u>101.103.</u>	Subpart SSSSS ...
<u>102.104.</u>	Subpart TTTTT ...
<u>103.105.</u>	Subpart UUUUU ...
<u>104.106.</u>	Subpart WWWWV ...
<u>105.107.</u>	Subpart YYYYY ...
<u>106.108.</u>	Subpart ZZZZZ ...
<u>107.109.</u>	Subpart BBBBBB ...
<u>108.110.</u>	Subpart CCCCCC ...
<u>109.111.</u>	Subpart DDDDDD ...
<u>110.112.</u>	Subpart EEEEEE ...
<u>111.113.</u>	Subpart FFFFFFF ...
<u>112.114.</u>	Subpart GGGGGG ...
<u>113.115.</u>	Subpart HHHHHH ...
<u>114.116.</u>	Subpart JJJJJJ ...
<u>115.117.</u>	Subpart LLLLLL ...
<u>116.118.</u>	Subpart MMMMMM ...
<u>117.119.</u>	Subpart NNNNNN ...
<u>118.120.</u>	Subpart OOOOOO ...
<u>119.121.</u>	Subpart PPPPPP ...
<u>120.122.</u>	Subpart QQQQQQ ...
<u>121.123.</u>	Subpart RRRRRR ...
<u>122.124.</u>	Subpart SSSSSS ...
<u>123.125.</u>	Subpart TTTTTT ...
<u>124.126.</u>	Subpart VVVVVV ...
<u>125.127.</u>	Subpart WWWWWW ...

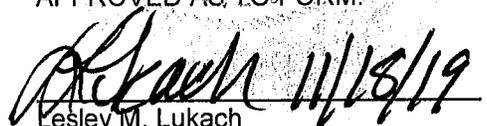
- 426-128. Subpart XXXXXX ...
- 427-129. Subpart YYYYYY ...
- 428-130. Subpart ZZZZZZ ...
- 429-131. Subpart AAAAAAA ...
- 430-132. Subpart BBBB BBB ...
- 431-133. Subpart CCCCCC ...
- 432-134. Subpart DDDDDDD ...
- 433-135. Subpart EEEEEEE ...
- 434-136. Subpart HHHHHHH ...

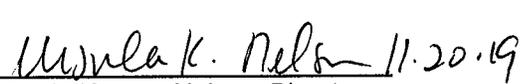
**Section 5.** This Ordinance is effective 31 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this  
17<sup>th</sup> day of December, 2019

  
 \_\_\_\_\_  
 Chairman of the Board of Supervisors DEC 17 2019

ATTEST:   
  
 Clerk of Board

APPROVED AS TO FORM:  
  
 \_\_\_\_\_  
 Lesley M. Lukach  
 Deputy County Attorney

REVIEWED BY:  
  
 \_\_\_\_\_  
 Ursula Kramer Nelson, Director  
 Department of Environmental Quality

**Attachment 2**  
January 30, 2020

**Pima County Code  
Ordinance 2016-42  
Title 17 - Air Quality Control**

**40 CFR PARTS 60, 61, and 63  
ADOPTED BY REFERENCE  
Effective September 2, 2016**

**Presented to U.S. EPA, Region IX**

**Pima County Department of Environmental Quality  
33 N Stone Ave., Suite 700  
Tucson, AZ 85701**

**ORDINANCE NUMBER 2016- 42**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO AIR QUALITY; AMENDING THE PIMA COUNTY CODE BY AMENDING TITLE 17, CHAPTERS 17.04, 17.08, 17.12, AND 17.16 TO UPDATE AND ADOPT NEW INCORPORATIONS BY REFERENCE OF THE FOLLOWING FEDERAL REGULATIONS: ACID RAIN, NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP), NEW SOURCE PERFORMANCE STANDARDS (NSPS), NATIONAL AMBIENT AIR QUALITY STANDARDS, AND OTHER PARTS OF TITLE 40 CODE OF FEDERAL REGULATIONS, AND CONFORMING DEFINITIONS TO STATE RULES.**

**IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, AS FOLLOWS:**

**Section 1:** Chapter 17.04, Sections 17.04.070 and 17.04.340 of the Pima County Code are amended to read as follows:

17.04.070      Incorporated materials.

...

B.      The ASTM Test Methods referenced in this title as of the year specified in the reference (and no future amendments). They are available from the American Society for Testing and Materials, 1916 Race St., Philadelphia, PA 19103-1187 100 Barr Harbor Dr., West Conshohocken, PA, 19428-2959.

C.      All parts of the CFR referenced in this Title are amended as of ~~February 1, 2008~~ July 1, 2015, as applicable requirements and no future editions or amendments unless specifically indicated otherwise.

...

17.04.340      Words, phrases, and terms.

A.      Definitions.

...

250.    "Volatile organic compounds (VOC)" ...

...

xx.    propylene carbonate

yy.    dimethyl-carbonate

zz.    2,3,3,3-tetrafluoropropene (HFO-1234yf)

~~xx.~~ aaa.    Perfluorocarbon ...

~~yy. bbb.~~ The following compound is VOC . . .

**Section 2.** Chapter 17.08, Sections 17.08.020, 17.08.030, 17.08.050, 17.08.060, and 17.08.070 of the Pima County Code are amended to read as follows:

**17.08.020 - Sulfur oxides (sulfur dioxide).**

A. The primary ambient air quality standards for sulfur oxides measured as sulfur dioxide using the reference method described in 40 CFR 50, Appendix A or A-1, or by an equivalent method, ~~are~~ is:

- ~~1. 0.03 parts per million (ppm) (80µg/m<sup>3</sup>) annual arithmetic mean.~~
- ~~2. 0.14 parts per million (ppm) (365µg/m<sup>3</sup>) maximum 24-hour concentration not to be exceeded more than once per year.~~
1. 75 parts per billion (ppb) - maximum one-hour concentration. The one-hour primary standard is met at an ambient air quality monitoring site when the three-year average of the annual 99<sup>th</sup> percentile of the daily maximum one-hour average concentration is less than or equal to 75 parts per billion, as determined according to 40 CFR 50, Appendix T.

B. The secondary ambient . . .

**17.08.030 – Particulate Matter: (PM<sub>10</sub>) and PM<sub>2.5</sub>).**

A. Particulate Matter (PM<sub>10</sub>)

1. The primary and secondary ambient air quality standards for particulate matter PM<sub>10</sub> are
  - a. ~~50 micrograms per cubic meter of PM<sub>10</sub> annual arithmetic mean concentration.~~
  - b. ~~150 micrograms per cubic meter of PM<sub>10</sub> - 24-hour average concentration.~~
- ~~2. The secondary ambient air quality standards for particulate matter (PM<sub>10</sub>) are:~~
  - a. ~~50 micrograms per cubic meter of PM<sub>10</sub> annual arithmetic mean concentration.~~
  - b. ~~150 micrograms per cubic meter of PM<sub>10</sub> 24-hour average concentration.~~
- ~~3.~~ 2. For the purposes . . .
  - a. A reference method . . .
  - b. An equivalent method . . .
- ~~4. The primary and secondary annual ambient air quality standards for PM<sub>10</sub> shall be considered attained if the expected annual arithmetic mean concentration, as determined in accordance with 40 CFR 50, Appendix K, is less than or equal to 50 micrograms per cubic meter.~~

~~5.~~ 3. The primary and . . .

B. Particulate Matter (PM<sub>2.5</sub>)

1. The primary ambient air quality standards for particulate matter (PM<sub>2.5</sub>) are:
  - a. ~~15~~ 12 micrograms per cubic meter of PM<sub>2.5</sub>—annual arithmetic mean concentration.
  - b. ~~65~~ 35 micrograms per cubic meter of PM<sub>2.5</sub> - 24-hour average concentration.
2. The secondary ambient air quality standards for particulate matter (PM<sub>2.5</sub>) are:
  - a. 15 micrograms per cubic meter of PM<sub>2.5</sub> - annual arithmetic mean concentration.
  - b. ~~65~~ 35 micrograms per cubic meter of PM<sub>2.5</sub> - 24-hour average concentration.
3. For purposes of determining attainment of the primary and secondary standards, particulate matter (PM<sub>2.5</sub>) shall be measured in the ambient air by:
  - a. A reference method based on 40 CFR 50, Appendix J L, and designated in accordance with 40 CFR 53; or
  - b. An equivalent method designated in accordance with 40 CFR 53.
4. The primary ~~and secondary~~ annual ambient air quality standards for PM<sub>2.5</sub> ~~are~~ is met when the annual arithmetic mean concentration, as determined in accordance with 40 CFR 50, Appendix N, is less than or equal to ~~15~~ 12 micrograms per cubic meter.
5. The secondary annual ambient air quality standard for PM<sub>2.5</sub> is met when the annual arithmetic mean concentration, as determined in accordance with 40 CFR 50, Appendix N, is less than or equal to 15 micrograms per cubic meter.
- ~~5.~~ 6. The primary and secondary 24-hour ambient air quality standards for PM<sub>2.5</sub> are met when the 98th percentile 24-hour concentration, as determined in accordance with 40 CFR 50, Appendix N, is less than or equal to ~~65~~ 35 micrograms per cubic meter.

...

**17.08.050 - Ozone: ~~1-hour standard and 8-hour averaged standard.~~**

~~A.~~ 1-hour standard. Until June 15, 2005:

- ~~1.~~ The 1-hour primary ambient air quality standard for ozone is 0.12 ppm (235 micrograms per cubic meter).
- ~~2.~~ The 1-hour secondary ambient air quality standard for ozone is 0.12 ppm (235 micrograms per cubic meter).
- ~~3.~~ The 1-hour standards are attained when the expected number of days per calendar year with maximum hourly average concentrations above 0.12 ppm (235 micrograms per cubic meter) is less than or equal to 1, as determined by 40 CFR 50, Appendix H.

~~B.~~ A. 8-hour averaged standard.

1. The 8-hour averaged-primary ambient air quality standard for ozone is ~~0.08~~ 0.070 ppm parts per million (ppm), daily maximum 8-hour average.
2. The 8-hour averaged secondary ambient air quality standard for ozone is ~~0.08~~ 0.070 ppm, daily maximum 8-hour average.
3. 8-hour averaged primary and secondary ambient air quality standards for ozone are met at an ambient air quality monitoring site when the 3-year average of the annual fourth-highest daily maximum 8-hour ozone concentration is less than or equal to ~~0.08~~ 0.070 ppm, as determined in accordance with 40 CFR 50, Appendix I U.

B. The levels of ozone in the ambient air shall be measured by:

1. A reference method based on 40 CFR 53, Appendix D, and designated in accordance with 40 CFR 53; or
2. An equivalent method designated in accordance with 40 CFR 53.

#### **17.08.060 - Nitrogen dioxide.**

A. ~~The primary and secondary ambient air quality standards for nitrogen dioxide are: 0.053 parts per million (one hundred micrograms per cubic meter), annual arithmetic mean concentration.~~

1. 53 ppb - annual arithmetic mean concentration.
2. 100 ppb - 1-hour average concentration.

B. The secondary ambient air quality standard for nitrogen dioxide is 0.053 ppm (one hundred micrograms per cubic meter), annual arithmetic mean concentration.

C. The primary standards are attained when:

1. The annual arithmetic mean concentration in a calendar year is less than or equal to 53 ppb, as determined in accordance with 40 CFR 50, Appendix S.
2. The 3-year average of the annual 98<sup>th</sup> percentile of the daily maximum 1-hour average concentration is less than or equal to 100 ppb, as determined in accordance with 40 CFR 50, Appendix S.

~~B. D.~~ The secondary standards are is attained when the annual arithmetic mean concentration in a calendar year is less than or equal to 0.053 parts per million, rounded to three decimal places (fractional parts equal to or greater than 0.0005 must be rounded up). To demonstrate attainment, an annual mean shall be based upon hourly data that are at least seventy-five percent complete or upon data derived from manual methods that are at least seventy-five percent complete for the scheduled sampling days in each calendar quarter.

~~C. E.~~ The levels of . . .

1. A reference . . .
2. An equivalent . . .

**17.08.070 - Lead.**

- A. The primary and secondary ambient air quality standards for lead and its compounds are ~~1-5~~ 0.15 micrograms per cubic meter, ~~maximum arithmetic mean averaged over a calendar quarter~~ arithmetic mean concentration over a 3-month period.
- B. The levels . . .
  1. A reference . . .
  2. An equivalent . . .
- C. The national primary and secondary ambient air quality standards for lead are met when the maximum arithmetic 3-month mean concentration for a 3-year period, as determined in accordance with Appendix R of this part, is less than or equal to 0.15 micrograms per cubic meter.

**Section 3.** Chapter 17.12, Sections 17.12.045, 17.12.180, 17.12.320, and 17.12.365, of the Pima County Code are amended to read as follows:

**Chapter 17.12 Permits and Permit Revisions**

**Article I. General Provisions**

**17.12.045 Test methods and procedures.**

...

- A. The following test methods and protocols are approved for use as directed by the Department under this Chapter. These standards adopted as of ~~February 1, 2008~~ July 1, 2015, and no future editions or amendments, are incorporated by reference as applicable requirements. These standards are on file with the Department and are also available from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

...

**Article II. Individual Source Permits**

...

**17.12.180 Permit contents for Class I permits.**

- A. Each permit issued shall include the following elements:

...

3. Each permit shall contain the following requirements with respect to monitoring:

- ...
- b. 40 CFR 64 adopted ~~February 1, 2008~~ July 1, 2015, and no future editions or amendments, is incorporated by reference as applicable requirements and on file with the Department and shall be applied by the Department. If more than one monitoring or testing requirement applies, the permit may specify a streamlined set of monitoring or testing provisions if the specified monitoring or testing is adequate to assure compliance at least to the same extent as the monitoring or testing applicable requirements not included in the permit as a result of such streamlining;

...

**17.12.365 Acid rain.**

- A. 40 CFR 72, 74, 75, and 76, and all accompanying appendices, adopted as of ~~February 1, 2008~~ July 1, 2015, and no future editions or amendments are incorporated by reference as applicable requirements. These standards are on file with the Department and shall be applied by the Department. These standards can be obtained from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

...

**Section 4.** Chapter 17.16, Sections 17.16.120, 17.16.490 and 17.16.530, of the Pima County Code are amended to read as follows:

**Chapter 17.16 Emission Limiting Standards**

...

**Article III. Emissions from Existing and New Nonpoint Sources**

**17.16.120 Mineral Tailings.**

- A. No person shall cause, suffer, allow, or permit construction of, ~~or otherwise own or operate,~~ mineral tailing piles without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Reasonable precautions shall mean wetting, chemical stabilization, revegetation or such other measures as are approved by the control officer.
- B. No person shall cause, suffer, allow, or permit construction of, ~~or otherwise own or operate,~~ mineral tailings piles without taking reasonable precautions (i.e., wetting, chemical stabilization and revegetation) to minimize and control to ensure compliance with Section 17.16.050.

**Article VI. New Source Performance Standards**

**17.16.490 Standards of performance for new stationary sources (NSPS).**

A. Except as provided in subsections B, C and D of this Section, and Sections 17.16.500 through 17.16.520, the following subparts of 40 CFR 60, New Source Performance Standards (NSPS), and all accompanying appendices, adopted as of ~~February 1, 2008~~ July 1, 2015, and no future editions or amendments are incorporated by reference as applicable requirements. These standards are on file with the Department and shall be applied by the Department. These standards can be obtained from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

...

12. Subpart Ga - Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011.

~~12.~~ 13. Subpart H . . .

~~13.~~ 14. Subpart I . . .

~~14.~~ 15. Subpart J . . .

16. Subpart Ja - Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007

~~15.~~ 17. Subpart K . . .

~~16.~~ 18. Subpart Ka . . .

~~17.~~ 19. Subpart Kb . . .

~~18.~~ 20. Subpart L . . .

~~19.~~ 21. Subpart M . . .

~~20.~~ 22. Subpart N . . .

~~21.~~ 23. Subpart Na . . .

~~22.~~ 24. Subpart O . . .

~~23.~~ 25. Subpart P . . .

~~24.~~ 26. Subpart Q . . .

~~25.~~ 27. Subpart R . . .

~~26.~~ 28. Subpart S . . .

~~27.~~ 29. Subpart T . . .

~~28.~~ 30. Subpart U . . .

~~29.~~ 31. Subpart V . . .

- 30. 32. Subpart W . . .
- 31. 33. Subpart X . . .
- 32. 34. Subpart Y - Coal Preparation and Processing Plants.
- 33. 35. Subpart Z . . .
- 34. 36. Subpart AA . . .
- 35. 37. Subpart AAa . . .
- 36. 38. Subpart BB . . .
- 39. Subpart BBa - Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013.
- 37. 40. Subpart CC . . .
- 38. 41. Subpart DD . . .
- 39. 42. Subpart EE . . .
- 40. 43. Subpart GG . . .
- 41. 44. Subpart HH . . .
- 42. 45. Subpart KK . . .
- 43. 46. Subpart LL . . .
- 44. 47. Subpart MM . . .
- 45. 48. Subpart NN . . .
- 46. 49. Subpart PP . . .
- 47. 50. Subpart QQ . . .
- 48. 51. Subpart RR . . .
- 49. 52. Subpart SS . . .
- 50. 53. Subpart TT . . .
- 51. 54. Subpart UU . . .
- 52. 55. Subpart VV . . .
- 53. 56. Subpart VVa . . .
- 54. 57. Subpart WW . . .
- 55. 58. Subpart XX . . .
- 56. 59. Subpart AAA - New Residential Wood Heaters.
- 57. 60. Subpart BBB . . .
- 58. 61. Subpart DDD . . .
- 59. 62. Subpart FFF . . .

- 60. ~~63.~~ Subpart GGG . . .
- 61. ~~64.~~ Subpart GGGa . . .
- 62. ~~65.~~ Subpart HHH . . .
- 63. ~~66.~~ Subpart III . . .
- 64. ~~67.~~ Subpart JJJ . . .
- 65. ~~68.~~ Subpart KKK . . .
- 66. ~~69.~~ Subpart LLL . . .
- 67. ~~70.~~ Subpart NNN . . .
- 68. ~~71.~~ Subpart OOO . . .
- 69. ~~72.~~ Subpart PPP . . .
- 70. ~~73.~~ Subpart QQQ . . .
- 71. ~~74.~~ Subpart RRR . . .
- 72. ~~75.~~ Subpart SSS . . .
- 73. ~~76.~~ Subpart TTT . . .
- 74. ~~77.~~ Subpart UUU . . .
- 75. ~~78.~~ Subpart VVV . . .
- 76. ~~79.~~ Subpart WWW . . .
- 77. ~~80.~~ Subpart AAAA . . .
- 78. ~~81.~~ Subpart CCCC . . .
- 79. ~~82.~~ Subpart EEEE . . .
- 80. ~~Subpart FFFF—Other Solid Waste Incineration Units for Which Construction is Commenced on or before December 9, 2004.~~
- 81. ~~83.~~ Subpart IIII . . .
- 84. Subpart JJJJ - Stationary Spark Ignition Internal Combustion Engines.
- 82. ~~85.~~ Subpart KKKK . . .
- 86. Subpart LLLL - New Sewage Sludge Incineration Units.
- 87. Subpart OOOO - Crude Oil and Natural Gas Production, Transmission and Distribution.
- 88. Subpart QQQQ - New Residential Hydronic Heaters and Forced-Air Furnaces.

...

**Article VII. National Emission Standards for Hazardous Air Pollutants**

**17.16.530 National Emissions Standards for Hazardous Air Pollutants (NESHAP).**

A. Except as provided in subsections B, C, and D of this Section, the following subparts of 40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPs), and all accompanying appendices, adopted as of ~~February 1, 2008~~ July 1, 2015, and no future editions or amendments, are incorporated by reference as applicable requirements. These standards are on file with the Department and shall be applied by the Department. These standards can be obtained from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

...

B. Except as provided in subsection A, the following subparts of 40 CFR 63, NESHAPs for Source Categories, and all accompanying appendices, adopted as of ~~February 1, 2008~~ July 1, 2015, and no future editions or amendments, are incorporated by reference as applicable requirements. These standards are on file with the Department and shall be applied by the Department. These standards can be obtained from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

...

87. Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters.

~~87.~~ 88. Subpart EEEEE . . .

~~88.~~ 89. Subpart FFFFF . . .

~~89.~~ 90. Subpart GGGGG . . .

~~90.~~ 91. Subpart HHHHH . . .

~~91.~~ 92. Subpart IIIII . . .

~~92.~~ 93. Subpart JJJJJ . . .

~~93.~~ 94. Subpart KKKKK . . .

~~94.~~ 95. Subpart LLLLL . . .

~~95.~~ 96. Subpart MMMMM . . .

~~96.~~ 97. Subpart NNNNN . . .

~~97.~~ 98. Subpart PPPPP . . .

~~98.~~ 99. Subpart QQQQQ . . .

~~99.~~ 100. Subpart RRRRR . . .

- ~~100.~~ 101. Subpart SSSSS . . .
- ~~101.~~ 102. Subpart TTTTT . . .
- 103. Subpart UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units.
- ~~102.~~ 104. Subpart WWWW . . .
- ~~103.~~ 105. Subpart YYYYY . . .
- ~~104.~~ 106. Subpart ZZZZ . . .
- ~~105.~~ 107. Subpart BBBB . . .
- ~~106.~~ 108. Subpart CCCCC . . .
- ~~107.~~ 109. Subpart DDDDD . . .
- ~~108.~~ 110. Subpart EEEEE . . .
- ~~109.~~ 111. Subpart FFFFF . . .
- ~~110.~~ 112. Subpart GGGGG . . .
- ~~111.~~ 113. Subpart HHHHH . . .
- 114. Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.
- ~~112.~~ 115. Subpart LLLLL . . .
- ~~113.~~ 116. Subpart MMMMM . . .
- ~~114.~~ 117. Subpart NNNNN . . .
- ~~115.~~ 118. Subpart OOOOO . . .
- ~~116.~~ 119. Subpart PPPPP . . .
- ~~117.~~ 120. Subpart QQQQQ . . .
- ~~118.~~ 121. Subpart RRRRR . . .
- ~~119.~~ 122. Subpart SSSSS . . .
- ~~120.~~ 123. Subpart TTTTT . . .
- 124. Subpart VVVVV - National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources.
- 125. Subpart WWWW - National Emission Standards for Hazardous Air Pollutants for Plating and Polishing Operations.
- 126. Subpart XXXXX - National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.

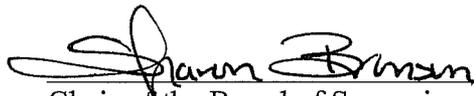
- 127. Subpart YYYYYY - National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities.
- 128. Subpart ZZZZZZ - National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.
- 129. Subpart AAAAAAA - National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing.
- 130. Subpart BBBB BBB - National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry.
- 131. Subpart CCCCCC - National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing.
- 132. Subpart DDDDDDD - National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.
- 133. Subpart EEEEEEE - National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category.
- 134. Subpart HHHHHHH - National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production.

...

SECTION 5. This Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this

2nd day of August, 2016

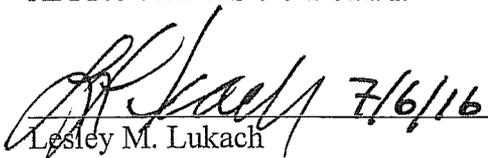
  
 \_\_\_\_\_  
 Chair of the Board of Supervisors

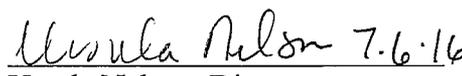
ATTEST:

  
 \_\_\_\_\_  
 Clerk of Board

APPROVED AS TO FORM:

REVIEWED BY:

  
 \_\_\_\_\_  
 Lesley M. Lukach  
 Deputy County Attorney

  
 \_\_\_\_\_  
 Ursula Nelson, Director  
 Department of Environmental Quality

**Attachment 3**  
January 30, 2020

Code of Federal Regulations  
Title 40  
Chapter I  
Subchapter C  
Part 60.4(d)(1)



## CODE OF FEDERAL REGULATIONS

### **Title 40** Protection of Environment

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#### Part 60 (§§ 60.1 to 60.499)

Revised as of July 1, 2019

Containing a codification of documents  
of general applicability and future effect

As of July 1, 2019

Published by the Office of the Federal Register  
National Archives and Records Administration  
as a Special Edition of the Federal Register

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## SUBCHAPTER C—AIR PROGRAMS (CONTINUED)

### PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

#### Subpart A—General Provisions

- Sec.
- 60.1 Applicability.
  - 60.2 Definitions.
  - 60.3 Units and abbreviations.
  - 60.4 Address.
  - 60.5 Determination of construction or modification.
  - 60.6 Review of plans.
  - 60.7 Notification and record keeping.
  - 60.8 Performance tests.
  - 60.9 Availability of information.
  - 60.10 State authority.
  - 60.11 Compliance with standards and maintenance requirements.
  - 60.12 Circumvention.
  - 60.13 Monitoring requirements.
  - 60.14 Modification.
  - 60.15 Reconstruction.
  - 60.16 Priority list.
  - 60.17 Incorporations by reference.
  - 60.18 General control device and work practice requirements.
  - 60.19 General notification and reporting requirements.
- TABLE 1 TO SUBPART A OF PART 60—DETECTION SENSITIVITY LEVELS (GRAMS PER HOUR)

#### Subpart B—Adoption and Submittal of State Plans for Designated Facilities

- 60.20 Applicability.
- 60.21 Definitions.
- 60.22 Publication of guideline documents, emission guidelines, and final compliance times.
- 60.23 Adoption and submittal of State plans; public hearings.
- 60.24 Emission standards and compliance schedules.
- 60.25 Emission inventories, source surveillance, reports.
- 60.26 Legal authority.
- 60.27 Actions by the Administrator.
- 60.28 Plan revisions by the State.
- 60.29 Plan revisions by the Administrator.

#### Subpart C—Emission Guidelines and Compliance Times

- 60.30 Scope.
- 60.31 Definitions.

#### Subpart Ca [Reserved]

#### Subpart Cb—Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That Are Constructed on or Before September 20, 1994

- 60.30b Scope and delegation of authority.
- 60.31b Definitions.
- 60.32b Designated facilities.
- 60.33b Emission guidelines for municipal waste combustor metals, acid gases, organics, and nitrogen oxides.
- 60.34b Emission guidelines for municipal waste combustor operating practices.
- 60.35b Emission guidelines for municipal waste combustor operator training and certification.
- 60.36b Emission guidelines for municipal waste combustor fugitive ash emissions.
- 60.37b Emission guidelines for air curtain incinerators.
- 60.38b Compliance and performance testing.
- 60.39b Reporting and recordkeeping guidelines and compliance schedules.

TABLE 1 TO SUBPART Cb OF PART 60—NITROGEN OXIDES GUIDELINES FOR DESIGNATED FACILITIES

TABLE 2 TO SUBPART Cb OF PART 60—NITROGEN OXIDES LIMITS FOR EXISTING DESIGNATED FACILITIES INCLUDED IN AN EMISSIONS AVERAGING PLAN AT A MUNICIPAL WASTE COMBUSTOR PLANT

TABLE 3 TO SUBPART Cb OF PART 60—MUNICIPAL WASTE COMBUSTOR OPERATING GUIDELINES

#### Subpart Cc—Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills

- 60.30c Scope.
- 60.31c Definitions.
- 60.32c Designated facilities.
- 60.33c Emission guidelines for municipal solid waste landfill emissions.
- 60.34c Test methods and procedures.
- 60.35c Reporting and recordkeeping guidelines.
- 60.36c Compliance times.

#### Subpart Cd—Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units

- 60.30d Designated facilities.
- 60.31d Emissions guidelines.

§ 60.4

40 CFR Ch. I (7-1-19 Edition)

(50) State of West Virginia, Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE., Charleston, West Virginia 25304.

(51) State of Wisconsin: Wisconsin Department of Natural Resources, 101 South Webster St., P.O. Box 7921, Madison, Wisconsin 53707-7921.

(52) State of Wyoming, Department of Environmental Quality, Air Quality Division, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002.

NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(53) Territory of Guam: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(54) Commonwealth of Puerto Rico: Commonwealth of Puerto Rico Environmental Quality Board, P.O. Box 11488, Santurce, PR 00910, Attention: Air Quality Area Director (see table under §60.4(b)(FF)(1)).

(55) U.S. Virgin Islands: U.S. Virgin Islands Department of Conservation and Cultural Affairs, P.O. Box 578, Charlotte Amalie, St. Thomas, VI 00801.

(56) American Samoa: American Samoa Environmental Protection Agency, P.O. Box PPA, Pago Pago, American Samoa 96799.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(57) Commonwealth of the Northern Mariana Islands: CNMI Division of Environmental Quality, P.O. Box 501304, Saipan, MP 96950.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(c) The delegation status table for New Source Performance Standards for Region VIII can be found online at <http://www2.epa.gov/region8/air-program>.

(d) The following tables list the specific part 60 standards that have been delegated unchanged to the air pollution control agencies in Region IX. The (X) symbol is used to indicate each standard that has been delegated. The following provisions of this subpart are not delegated: §§60.4(b), 60.8(b), 60.9, 60.11(b), 60.11(e), 60.13(a), 60.13(d)(2), 60.13(g), 60.13(i).

(1) *Arizona*. The following table identifies delegations for Arizona:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
A	General Provisions .....	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971.	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978.	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units .....	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units ...	X	X	X	X
E	Incinerators .....	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	X	X	X	X
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994.	X	X	X	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	X	X	X	
F	Portland Cement Plants .....	X	X	X	X
G	Nitric Acid Plants .....	X	X	X	X
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.		X	X	
H	Sulfuric Acid Plant .....	X	X	X	X
I	Hot Mix Asphalt Facilities .....	X	X	X	X
J	Petroleum Refineries .....	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.		X	X	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	X	X	X	X

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA—Continued

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	X	X	X	X
L	Secondary Lead Smelters .....	X	X	X	X
M	Secondary Brass and Bronze Production Plants .....	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	X	X	X	X
O	Sewage Treatment Plants .....	X	X	X	X
P	Primary Copper Smelters .....	X	X	X	X
Q	Primary Zinc Smelters .....	X	X	X	X
R	Primary Lead Smelters .....	X	X	X	X
S	Primary Aluminum Reduction Plants .....	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants .....	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants .....	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants .....	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants .....	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	X	X	X	X
Y	Coal Preparation and Processing Plants .....	X	X	X	X
Z	Ferroalloy Production Facilities .....	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	X	X	X	X
BB	Kraft Pulp Mills .....	X	X	X	X
BBa	Kraft Pulp Mill Sources for which Construction, Reconstruction or Modification Commenced after May 23, 2013.	X	X	X	X
CC	Glass Manufacturing Plants .....	X	X	X	X
DD	Grain Elevators .....	X	X	X	X
EE	Surface Coating of Metal Furniture .....	X	X	X	X
FF	(Reserved) .....				
Ga	Nitric Acid Plants for which Construction, Reconstruction or Modification Commenced after October 14, 2011.		X		
GG	Stationary Gas Turbines .....	X	X	X	X
HH	Lime Manufacturing Plants .....	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants .....	X	X	X	X
LL	Metallic Mineral Processing Plants .....	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations .....	X	X	X	X
NN	Phosphate Rock Plants .....	X	X	X	X
PP	Ammonium Sulfate Manufacture .....	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing .....	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations .....	X	X	X	X
SS	Industrial Surface Coating: Large Appliances .....	X	X	X	X
TT	Metal Coil Surface Coating .....	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture .....	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006.	X	X	X	X
WW	Beverage Can Surface Coating Industry .....	X	X	X	X
XX	Bulk Gasoline Terminals .....	X	X	X	X
AAA	New Residential Wood Heaters .....	X	X	X	X
BBB	Rubber Tire Manufacturing Industry .....	X	X	X	X
CCC	(Reserved) .....				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	X	X	X	X
EEE	(Reserved) .....				
FFF	Flexible Vinyl and Urethane Coating and Printing .....	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries .....	X	X	X	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006.	X	X	X	X
HHH	Synthetic Fiber Production Facilities .....	X	X	X	X

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA—Continued

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	X	X	X	X
JJJ	Petroleum Dry Cleaners .....	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.	X	X	X	X
LLL	Onshore Natural Gas Processing: SO <sub>2</sub> Emissions .....	X	X	X	X
MMM	(Reserved) .....				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.	X	X	X	X
OOO	Nonmetallic Mineral Processing Plants .....	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants .....	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems .....	X	X	X	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	X	X		
SSS	Magnetic Tape Coating Facilities .....	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries .....	X	X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities .....	X	X	X	X
WWW	Municipal Solid Waste Landfills .....	X	X	X	
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	X	X	X	
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	X	X	X	
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	X	X	X	
GGGG	(Reserved) .....				
HHHH	(Reserved) .....				
IIII	Stationary Compression Ignition Internal Combustion Engines .....	X	X	X	
JJJJ	Stationary Spark Ignition Internal Combustion Engines .....	X	X	X	
KKKK	Stationary Combustion Turbines .....	X	X	X	
LLLL	New Sewage Sludge Incineration Units .....			X	
MMMM	Emissions Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units.	X			
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution.		X	X	
QQQQ	Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces.		X	X	
TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units.		X		

(2) California. The following tables identify delegations for each of the local air pollution control agencies of California.

(i) Delegations for Amador County Air Pollution Control District, Ante-

lope Valley Air Quality Management District, Bay Area Air Quality Management District, and Butte County Air Quality Management District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR AMADOR COUNTY APCD, ANTELOPE VALLEY AQMD, BAY AREA AQMD, AND BUTTE COUNTY AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
A	General Provisions .....		X		

**Attachment 4**  
January 30, 2020

Code of Federal Regulations  
Title 40  
Chapter I  
Subchapter C  
Part 63.99(a)(3)



## CODE OF FEDERAL REGULATIONS

### **Title 40** Protection of Environment

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Part 63 (§§ 63.1 to 63.599)

Revised as of July 1, 2019

Containing a codification of documents  
of general applicability and future effect

As of July 1, 2019

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## SUBCHAPTER C—AIR PROGRAMS (CONTINUED)

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  - 63.3 Units and abbreviations.
  - 63.4 Prohibited activities and circumvention.
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  - 63.8 Monitoring requirements.
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  - 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.
  - 63.14 Incorporations by reference.
  - 63.15 Availability of information and confidentiality.
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- 63.44 Requirements for constructed or reconstructed major sources subject to a subsequently promulgated MACT standard or MACT requirement.
- 63.45–63.49 [Reserved]
- 63.50 Applicability.
- 63.51 Definitions.
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- 63.53 Application content for case-by-case MACT determinations.
- 63.54 Preconstruction review procedures for new affected sources.

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in subpart A or other subparts or appendices). The State shall provide this identification in a side-by-side comparison of the State's requirements and the requirements of the Federal rule, emission standards, or requirements.

(3) The State shall provide the Administrator with detailed documentation that demonstrates the State's belief that the alternative requirements meet the criteria specified in § 63.93(b) of this subpart, i.e., that the alternative requirements are at least as stringent as the otherwise applicable Federal requirements.

[65 FR 55844, Sept. 14, 2000]

**§ 63.98 [Reserved]**

**§ 63.99 Delegated Federal authorities.**

(a) This section lists the specific source categories that have been dele-

gated to the air pollution control agencies in each State under the procedures described in this subpart.

(1) *Alabama.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Alabama Department of Environmental Management for all sources. The "X" symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards.

**PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—ALABAMA<sup>1</sup>**

	Source category	Subpart	ADEM <sup>2</sup>	JCDH <sup>3</sup>	HDNR <sup>4</sup>
1	HON	F, G, H, I	X	X	X
2	Polyvinyl Chloride & Co-polymers, VACATED on 5/11/05	J			
3	Coke Ovens	L	X	X	X
4	Dry Cleaners	M	X	X	X
5	Chromium Electroplating	N	X	X	X
6	EIO Commercial Sterilization	O	X	X	X
7	Chromium Cooling Towers	Q	X	X	X
8	Gasoline Distribution (stage 1)	R	X	X	X
9	Pulp & Paper I	S	X	X	X
10	Halogenated Solvent Cleaning	T	X	X	X
11	Polymer & Resins 1	U	X	X	X
12	Polymer & Resins 2	W	X	X	X
13	Secondary Lead Smelters	X	X	X	X
14	Marine Tank Vessel Loading	Y	X	X	X
15	Phosphoric Acid Mfg	AA	X	X	X
16	Phosphate Fertilizers Prod	BB	X	X	X
17	Petroleum Refineries	CC	X	X	X
18	Offsite Waste & Recovery	DD	X	X	X
	Tanks; Level 1	OO	X	X	X
	Containers	PP	X	X	X
	Surface Impoundments	QQ	X	X	X
	Drain Systems	RR	X	X	X
	Oil-Water Separators	VV	X	X	X
19	Magnetic Tape	EE	X	X	X
20	Aerospace Industry	GG	X	X	X
21	Oil & Natural Gas Prod	HH	X	X	X
	Area Source Requirements >>..				
22	Shipbuilding and Repair	II	X	X	X
23	Wood Furniture Mfg	JJ	X	X	X
24	Printing & Publishing	KK	X	X	X
25	Primary Aluminum	LL			
26	Pulp & Paper II (Combustion sources)	MM	X	X	X
27	Generic MACT:				
	Control Devices	SS	X	X	X
	Eq. Leaks—Level 1	TT	X	X	X
	Eq. Leaks—Level 2	UU	X	X	X
	Tanks—Level 2	WW	X	X	X
28	Generic MACT:				
	Ethylene Mfg	XX & YY	X	X	X
	Carbon Black	YY	X	X	X
	Spandex Prod	YY	X	X	X
	Cyanide Chemical Mfg	YY	X	X	X
	Acetal Resins	YY	X	X	X

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA

Subpart	Description	ADEQ <sup>1</sup>	MCAQD <sup>2</sup>	PDEQ <sup>3</sup>	PCAQCD <sup>4</sup>	GRIC <sup>5</sup>
A	General Provisions	X	X	X	X	X
F	Synthetic Organic Chemical Manufacturing Industry	X	X	X	X	X
G	Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater	X	X	X	X	X
H	Organic Hazardous Air Pollutants: Equipment Leaks	X	X	X	X	X
I	Organic Hazardous Air Pollutants: Certain Negotiated Regulation for Equipment Leaks	X	X	X	X	X
J	Polyvinyl Chloride and Copolymers Production	X	X	X	X	X
L	Coke Oven Batteries	X	X	X	X	X
M	Perchloroethylene Dry Cleaning	X	X	X	X	X
N	Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks	X	X	X	X	X
O	Ethylene Oxide Sterilization Facilities	X	X	X	X	X
Q	Industrial Process Cooling Towers	X	X	X	X	X
R	Gasoline Distribution Facilities	X	X	X	X	X
S	Pulp and Paper	X	X	X	X	X
T	Halogenated Solvent Cleaning	X	X	X	X	X
U	Group I Polymers and Resins	X	X	X	X	X
V	Epoxy Resins Production and Non-Nylon Polyamides Production	X	X	X	X	X
W	Secondary Lead Smelting	X	X	X	X	X
X	Marine Tank Vessel Loading Operations	X	X	X	X	X
Y	Phosphoric Acid Manufacturing Plants	X	X	X	X	X
AA	Phosphate Fertilizers Production Plants	X	X	X	X	X
BB	Petroleum Refineries	X	X	X	X	X
CC	Off-Site Waste and Recovery Operations	X	X	X	X	X
DD	Magnetic Tape Manufacturing Operations	X	X	X	X	X
EE	Aerospace Manufacturing and Rework Facilities	X	X	X	X	X
GG	Oil and Natural Gas Production Facilities	X	X	X	X	X
HH	Shipbuilding and Ship Repair (Surface Coating)	X	X	X	X	X
II	Wood Furniture Manufacturing Operations	X	X	X	X	X
JJ	Printing and Publishing Industry	X	X	X	X	X
KK	Primary Aluminum Reduction Plants	X	X	X	X	X
LL	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills	X	X	X	X	X
MM	Wood Fiberglass Manufacturing at Area Sources	X	X	X	X	X
NN	Tanks—Level 1	X	X	X	X	X
OO	Containers	X	X	X	X	X
PP	Surface Impoundments	X	X	X	X	X
QQ	Individual Drain Systems	X	X	X	X	X
RR	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	X	X	X	X	X
SS	Equipment Leaks—Control Level 1	X	X	X	X	X
TT	Equipment Leaks—Control Level 2	X	X	X	X	X
UU	Oil-Water Separators and Organic-Water Separators	X	X	X	X	X
VV	Storage Vessels (Tanks)—Control Level 1	X	X	X	X	X
WW	Storage Vessels (Tanks)—Control Level 2	X	X	X	X	X

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

Subpart	Description	ADEQ <sup>1</sup>	MCAQD <sup>2</sup>	PDEQ <sup>3</sup>	PCAQD <sup>4</sup>	GRIC <sup>5</sup>
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations:	X	X	X		X
YY	Generic MACT Standards	X	X	X		X
CCC	Steel Pickling	X	X	X		X
DDD	Mineral Wool Production	X	X	X		X
EEE	Hazardous Waste Combustors	X	X	X		X
GGG	Pharmaceuticals Production	X	X	X		X
HHH	Natural Gas Transmission and Storage Facilities	X	X	X		X
III	Flexible Polyurethane Foam Production	X	X	X		X
JJJ	Group IV Polymers and Resins	X	X	X	X	X
LLL	Portland Cement Manufacturing Industry	X	X	X		X
MMM	Pesticide Active Ingredient Production	X	X	X		X
NNN	Wool Fiberglass Manufacturing	X	X	X		X
OOO	Manufacture of Amino/Phenolic Resins	X	X	X		X
PPP	Polyether Polyols Production	X	X	X		X
QQQ	Primary Copper Smelting	X	X	X		X
RRR	Secondary Aluminum Production	X	X	X		X
TTT	Primary Lead Smelting	X	X	X		X
UUU	Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, and Sulfur Recovery Units.	X	X	X		X
VVV	Publicly Owned Treatment Works	X	X	X		X
XXX	Ferroalloys Production	X	X	X		X
AAA	Municipal Solid Waste Landfills	X	X	X		X
CCC	Manufacturing of Nutritional Yeast	X	X	X		X
DDD	Plywood and Composite Wood Products	X	X	X		X
EEE	Organic Liquids Distribution (non-gasoline)	X	X	X		X
FFF	Miscellaneous Organic Chemical Manufacturing	X	X	X		X
GGG	Solvent Extraction for Vegetable Oil Production	X	X	X		X
HHH	Wet-Formed Fiberglass Mat Production	X	X	X		X
III	Surface Coating of Automobiles and Light-Duty Trucks	X	X	X		X
JJJ	Paper and Other Web Coating	X	X	X		X
KKK	Surface Coating of Metal Cans	X	X	X		X
MMM	Miscellaneous Metal Parts and Products	X	X	X		X
NNN	Large Appliances	X	X	X		X
OOO	Printing, Coating, and Dyeing of Fabrics and Other Textiles	X	X	X		X
PPP	Surface Coating of Plastic Parts and Products	X	X	X		X
QQQ	Wood Building Products	X	X	X		X
RRR	Surface Coating of Metal Furniture	X	X	X		X
SSS	Surface Coating of Metal Coil	X	X	X		X
TTT	Leather Finishing Operations	X	X	X		X
UUU	Cellulose Products Manufacturing	X	X	X		X
VVV	Boat Manufacturing	X	X	X		X
WWW	Reinforced Plastics Composites Production	X	X	X		X
XXX	Tire Manufacturing	X	X	X		X
YYY	Stationary Combustion Turbines	X	X	X		X
ZZZ	Stationary Reciprocating Internal Combustion Engines	X	X	X		X



DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

Subpart	Description	ADEQ <sup>1</sup>	MCAQD <sup>2</sup>	PDEQ <sup>3</sup>	PCAQCD <sup>4</sup>	GRIC <sup>5</sup>
BBBBBB	Chemical Preparations Industry—Area Sources	.....	X	X		
CCCCCC	Paint and Allied Products Manufacturing—Area Sources	.....	X	X		
DDDDDD	Prepared Feeds Manufacturing—Area Sources	.....	X	X		
EEEEEE	Gold Mine Ore Processing and Production—Area Sources	.....	X	X		
HHHHHH	Polyvinyl Chloride and Copolymers Production	.....	X	X		

<sup>1</sup> Arizona Department of Environmental Quality.

<sup>2</sup> Maricopa County Air Quality Department.

<sup>3</sup> Pima County Department of Environmental Quality.

<sup>4</sup> Pinal County Air Quality Control District.

<sup>5</sup> Gila River Indian Community Department of Environmental Quality. This table includes the GRIC DEQ only for purposes of identifying all state, local, and tribal agencies responsible for implementing part 63 standards within the geographical boundaries of the State of Arizona and does not establish any state regulatory authority in Indian country.

**Attachment 5**  
January 30, 2020

**Pima County Code  
Relevant Pages of  
Ordinance 1994-83  
Title 17 - Air Quality Control**

**40 CFR PARTS 60, 61, and 63  
ADOPTED BY REFERENCE  
Effective July 22, 1994**

**Presented to U.S. EPA, Region IX**

**Pima County Department of Environmental Quality  
33 N Stone Ave., Suite 700  
Tucson, AZ 85701**

F. ANN RODRIGUEZ, RECORDER  
RECORDED BY: FVF  
DEPUTY RECORDER  
2003 RD1C  
F0230  
PIMA CO CLERK OF THE BOARD



DOCKET: 9853  
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TUCSON AZ 85701

ORDINANCE NUMBER 1994- 83

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS RELATING TO TITLE 17 OF THE PIMA COUNTY CODE, AIR QUALITY CONTROL: AMENDING SECTIONS 17.04.030, 17.04.340, 17.08.100, 17.12.050, 17.12.060, 17.12.070, 17.12.080, 17.12.090, 17.12.140, 17.12.150, 17.12.160, 17.12.170, 17.12.180, 17.12.190, 17.12.210, 17.12.220, 17.12.230, 17.12.240, 17.12.250, 17.12.260, 17.12.270, 17.12.290, 17.12.300, 17.12.310, 17.12.320, 17.12.340, 17.12.350, 17.12.360, 17.12.370, 17.12.380, 17.12.390, 17.12.400, 17.12.410, 17.12.420, 17.12.430, 17.12.440, 17.12.450, 17.12.460, 17.12.470, 17.12.510, 17.12.540, 17.12.610, 17.16.010, 17.16.030, 17.16.050, 17.16.060, 17.16.100, 17.16.150, 17.16.160, 17.16.165, 17.16.180, 17.16.290, 17.16.400, 17.16.430, 17.16.490, 17.16.530, 17.16.540, 17.16.550, 17.16.560, 17.16.570, 17.16.590, 17.16.600, 17.16.610, 17.16.630, 17.16.660, 17.20.080, 17.28.100; AND ADDING SECTIONS 17.04.420, 17.12.085, 17.12.525, AND 17.12.545.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That section 17.04.030 of the Pima County Code is amended to read:

17.04.030 Authority.

A. This Title is adopted pursuant to the authority granted by Title 49, Chapter 3, Article 1, Section 49-401, et seq., Arizona Revised Statutes, abbreviated hereinafter as A.R.S. when referring to a specific statute.

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

1. The latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on health and welfare which may be expected from the presence of an air pollution agent, or combination of agents in the ambient air, in varying quantities.
2. Atmosphere conditions and the types of air pollution agent or agents which, when present in the atmosphere, may interact with another agent or agents to produce an adverse effect on public health and welfare.
3. Securing to the greatest degree practicable, the enjoyment of the natural attractions of the state and the comfort and convenience of the inhabitants.

C. No rule may be enacted or amended except after the board of supervisors first holds a public hearing after twenty days notice of such hearing. The proposed rule, or any proposed amendment of a rule, shall be made available to the public at the time of notice of such hearing.

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escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution. Where means are available to reduce effectively the contribution to air pollution from evaporation, leakage or discharge, the installation and use of such control methods, devices, or equipment shall be mandatory.

G. Where a stack, vent or other outlet is at such a level that fumes, gas mist, odor, smoke, vapor or any combination thereof constituting air pollution are discharged to adjoining property, the control officer may require the installation of abatement equipment or the alteration of such stack, vent or other outlet by the owner or operator thereof to a degree that will adequately dilute, reduce or eliminate the discharge of air pollution to adjoining property.

H. No person shall allow hydrogen sulfide to be emitted from any location in such manner and amount that the concentration of such emissions into the ambient air at any occupied place beyond the premises on which the source is located exceeds 0.03 parts per million by volume for any averaging period of 30 minutes or more.

I. No person shall cause, allow or permit discharge from any stationary source carbon monoxide emissions without the use of complete secondary combustion of waste gases generated by any process source.

J. No person shall allow hydrogen cyanide to be emitted from any location in such manner and amount that the concentration of such emissions into the ambient air at any occupied place beyond the premises on which the source is located exceeds 0.3 parts per million by volume for any averaging period of eight hours.

K. No person shall allow sodium cyanide dust or dust from any other solid cyanide to be emitted from any location in such manner and amount that the concentration of such emissions into the ambient air at any occupied place beyond the premises on which the source is located exceeds 140 micrograms per cubic meter for any averaging period of eight hours. (Ord. 1994-\_\_\_ § \_\_, 1994; Ord. 1993-128 § 4 (part), 1993)

Section 59. That section 17.16.490 of the Pima County Code is amended to read:

17.16.490 Standards of performance for new stationary sources (NSPS).

A. Except as provided in subsections B, C and D of this section, and 17.16.500 through 17.16.520, the following subparts of 40 CFR Part 60, and accompanying appendices, the federal standards of performance for new stationary sources, adopted as of July 1, 1993, except for adoption dates as specified below, are incorporated herein by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart D - Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971.
3. Subpart Da - Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978.
4. Subpart Db - Industrial-Commercial-Institutional Steam Generating Units.
5. Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units.
6. Subpart E - Incinerators.
7. Subpart Ea - Municipal Waste Combustors.
8. Subpart F - Portland Cement Plants.
9. Subpart G - Nitric Acid Plants.
10. Subpart H - Sulfuric Acid Plants.
11. Subpart I - Hot Mix Asphalt Facilities.
12. Subpart J - Petroleum Refineries.

13. Subpart K - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.
14. Subpart Ka - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.
15. Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
16. Subpart L - Secondary Lead Smelters.
17. Subpart M - Secondary Brass and Bronze Ingot Production Plants.
18. Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.
19. Subpart Na - Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.
20. Subpart O - Sewage Treatment Plants.
21. Subpart P - Primary Copper Smelters.
22. Subpart Q - Primary Zinc Smelters.
23. Subpart R - Primary Lead Smelters.
24. Subpart S - Primary Aluminum Reduction Plants.
25. Subpart T - Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
26. Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
27. Subpart V - Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
28. Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants.
29. Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
30. Subpart Y - Coal Preparation Plants.
31. Subpart Z - Ferroalloy Production Facilities.
32. Subpart AA - Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983.
33. Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.
34. Subpart BB - Kraft Pulp Mills.
35. Subpart CC - Glass Manufacturing Plants.
36. Subpart DD - Grain Elevators.
37. Subpart EE - Surface Coating of Metal Furniture.
38. Subpart GG - Stationary Gas Turbines.
39. Subpart HH - Lime Manufacturing Plants.
40. Subpart KK - Lead-Acid Battery Manufacturing Plants.
41. Subpart LL - Metallic Mineral Processing Plants.
42. Subpart MM - Automobile and Light Duty Truck Surface Coating Operations.
43. Subpart NN - Phosphate Rock Plants.
44. Subpart PP - Ammonium Sulfate Manufacture.
45. Subpart QQ - Graphic Arts Industry: Publication Rotogravure Printing.
46. Subpart RR - Pressure Sensitive Tape and Label Surface Coating Operations.
47. Subpart SS - Industrial Surface Coating: Large Appliances.
48. Subpart TT - Metal Coil Surface Coating.
49. Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.
50. Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.
51. Subpart WW - Beverage Can Surface Coating Industry.
52. Subpart XX - Bulk Gasoline Terminals.
53. Subpart AAA - New Residential Wood Heaters.
54. Subpart BBB - Rubber Tire Manufacturing Industry.
55. Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.

56. Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
57. Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries.
58. Subpart HHH - Synthetic Fiber Production Facilities.
59. Subpart III - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
60. Subpart JJJ - Petroleum Dry Cleaners.
61. Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
62. Subpart LLL - Onshore Natural Gas Processing; SO<sub>2</sub> Emissions.
63. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
64. Subpart OOO - Nonmetallic Mineral Processing Plants.
65. Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.
66. Subpart QQQ - VOC Emissions From Petroleum Refinery Wastewater Systems.
67. Subpart RRR - Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical manufacturing Industry (SOCMI) Reactor Processes (58 FR 45962, August 31, 1993).
68. Subpart SSS - Magnetic Tape Coating Facilities.
69. Subpart TTT - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
70. Subpart UUU - Calcines and Dryers in Mineral Industries.
71. Subpart VVV - Polymeric Coating of Supporting Substrates Facilities.

B. As used in 40 CFR Part 60: "Administrator" means the control officer, except that the control officer shall not be empowered to approve alternate or equivalent test methods nor to deal with equivalency determinations or innovative technology waivers.

C. From the general standards identified in subsection A, delete the following:

1. 40 CFR 60.4. All requests, reports, applications, submittals and other communication to the control officer pursuant to this article shall be submitted to the Pima County Department of Environmental Quality, 130 W. Congress, Tucson, AZ 85701.

2. 40 CFR 60.5, and 60.6.

D. The control officer shall not be delegated authority to deal with equivalency determinations or innovative technology waivers as covered in sections 111(h)(3) and 111(j) of the Act. (Ord. 1994-\_\_\_ § \_\_, 1994: Ord. 1993-128 § 4 (part), 1993); Ord. 1991-136 § 15, 1991: Ord. 1990-113 § 6, 1990: Ord. 1989-165 § 21, 1989: Ord. 1988-117 § 2, 1988: Ord. 1986-227 § 1 (part), 1986: Ord. 1985-126 (part), 1985: Ord. 1983-196 (part), 1983)

**Section 60. That section 17.16.530 of the Pima County Code is amended to read:**

17.16.530 National Emissions Standards for Hazardous Air Pollutants (NESHAP).

A. Except as provided in subsections B, C, and D of this section, the following subparts of 40 CFR Part 61 (NESHAPs) and all accompanying appendices, adopted as of July 1, 1993 except for adoption dates as specified below, are incorporated by reference. These standards are and on file with the Office of the Secretary of State and the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart C - Beryllium.
3. Subpart D - Beryllium Rocket Motor Firing.

**Section 73. Effective Date.**

This ordinance shall be effective from and after the expiration of thirty days from the date of enactment.

PASSED AND ADOPTED by the Board of

Supervisors of Pima County, Arizona

this 21 day of June, 1994.

*M. Le Bd*

Chairman, Board of Supervisors

JUN 21 1994

APPROVED AS TO FORM:

*[Signature]*

Deputy County Attorney

REVIEWED BY:

*[Signature]*

Director

ATTEST:

*[Signature]*

Clerk, Board of Supervisors

**Attachment 6**  
January 30, 2020

**Pima County Code  
Relevant Pages of  
Ordinance 2005-43  
Title 17 - Air Quality Control**

**40 CFR PARTS 60, 61, and 63  
ADOPTED BY REFERENCE  
Effective May 20, 2005**

**Presented to U.S. EPA, Region IX**

**Pima County Department of Environmental Quality  
33 N Stone Ave., Suite 700  
Tucson, AZ 85701**

F. ANN RODRIGUEZ, RECORDER

RECORDED BY: D\_K

DEPUTY RECORDER  
7864 PE3



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PAGE: 2113

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04/22/2005

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PICKUP

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P0230

PIMA CO CLERK OF THE BOARD  
PICKUP

**ORDINANCE 2005- 43**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO THE ENVIRONMENT AND AIR QUALITY; AMENDING CHAPTERS 17.04; 17.12; 17.16; 17.28 TO CONFORM WITH CORRESPONDING STATE AND FEDERAL AIR QUALITY REGULATIONS.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:**

**SECTION 1.** Chapter 17.04, Sections 17.04.340 and 17.04.410 are hereby amended to read as follows:

**Chapter 17.04  
GENERAL PROVISIONS**

**Sections:**

**Article I. Preamble.**

17.04.010 Declaration of policy.

17.04.020 Purpose.

17.04.030 Authority.

**Article II. Jurisdiction.**

17.04.040 General applicability.

17.04.050 State and/or ~~county~~ County.

17.04.060 Limitations.

**Article III. Incorporated Materials.**

17.04.070 Incorporated Materials.

**Article IV. Administration.**

17.04.080 Air ~~quality control district~~ Quality Control District.

17.04.090 Executive head.

17.04.100 Governing body.

**Article V. Advisory Council.**

17.04.110 Establishment.

17.04.120 Composition.

17.04.130 Terms - Nominations.

17.04.140 Function.

17.04.150 Officers - Procedures.

- 17.04.160 Meetings - Special studies - Hearings.
- 17.04.170 Compensation - Absences.

Article VI. Hearing Board.

- 17.04.180 Establishment.
- 17.04.190 Composition.
- 17.04.200 Terms - Nominations.
- 17.04.210 Functions.
- 17.04.220 Officers - Procedures.
- 17.04.230 Meetings - Hearings.
- 17.04.240 Compensation - Absences.
- 17.04.250 Decisions of hearing board; subpoenas; effective date.
- 17.04.260 Judicial review.

Article VII. Legal Severability.

- 17.04.270 Severability clause.

Article VIII. Interpretations.

- 17.04.280 Format.
- 17.04.290 Heading and special type.
- 17.04.300 Use of number and gender.
- 17.04.310 Copies.
- 17.04.320 Effective date.
- 17.04.330 Adoptions by reference.

Article IX. Definitions and Meanings.

- 17.04.340 Words, phrases, and terms.
- 17.04.350 Meanings of mathematical symbols.
- 17.04.360 Chemical symbols and abbreviations.
- 17.04.370 Scientific units.
- 17.04.380 Acronyms.

Article X. Procedures for Amending.

- 17.04.390 Legal authority.
- 17.04.400 General procedures.
- 17.04.410 Public participation in rulemaking.
- 17.04.420 Applicable implementation plan; savings.

Article I. Preamble.

- 17.04.010 Declaration of policy.

No Change

- 17.04.020 Purpose.

No Change

- 17.04.030 Authority.

No Change

Article II. Jurisdiction.

- 17.04.040 General applicability.

**Table 17.12.530  
OPEN BURNING PERMIT FEE SCHEDULES**

S.S. <sup>1</sup>	Permit Activity	Rate Components	Minimum Fee
A	Temporary Open Burning Residential Burning <sup>2</sup>	\$16.13 base, plus \$3.53 per day of burning	\$19.66
B	Extended Open Burning Commercial/Agricultural Burning <sup>3</sup>	\$26.50 base, plus \$5.00 per day of burning	\$31.50

<sup>1</sup>Sub-schedule for identification only.

<sup>2</sup>The term of a residential burning permit shall not exceed three (3) consecutive or non-consecutive days within a thirty-day period.

<sup>3</sup>The term of a commercial/agricultural burning permit shall not exceed ninety days.

(Ord. 2005- § 2, 2005; Ord. 1993-128 § 3, 1993; Ord. 1990-113 § 13, 1990; Ord. 1989-165 § 17 (part), 1989; Ord. 1979-93 (part), 1979)

**SECTION 3.** Chapter 17.16, Sections 17.16.130, 17.16.160, 17.16.165, 17.16.180, 17.16.220, 17.16.280, 17.16.290, 17.16.300, and 17.16.530 are hereby amended to read as follows:

**Chapter 17.16  
EMISSION LIMITING STANDARDS**

**Sections:**

**Article I. General Provisions**

- 17.16.010 Local rules and standards; applicability of more than one standard.
- 17.16.020 Noncompliance with applicable standards.
- 17.16.030 Odor Limiting Standards.

**Article II. Visible Emission Standards.**

- 17.16.040 Standards and applicability (Includes NESHAP).
- 17.16.050 Visibility limiting standard.

**Article III. Emissions from Existing and New Nonpoint Sources.**

- 17.16.055 General.
- 17.16.060 Fugitive dust producing activities.
- 17.16.070 Fugitive dust emissions standards for motor vehicle operation.
- 17.16.080 Vacant lots and open spaces.
- 17.16.090 Roads and streets.
- 17.16.100 Particulate materials.
- 17.16.110 Storage piles.
- 17.16.120 Mineral tailings.

Article IV. New and Existing Stationary Source Performance Standards.

- 17.16.130 Applicability.
- 17.16.140 Compilation of mass rates and concentrations.
- 17.16.150 Hazardous Waste, Hazardous Waste Fuel, Used Oil, and Used Oil Fuel Burning Equipment.
- 17.16.160 Standards of performance for fossil-fuel fired steam generators and general fuel burning equipment.
- 17.16.165 Standards of performance for fossil-fuel fired industrial and commercial equipment.
- 17.16.170 Incinerators.
- 17.16.180 ~~Standards of performance for portland cement plants.~~ Standards of Performance for Existing Hospital/Medical/Infectious Waste Incinerators.
- 17.16.190 Standards of performance for nitric acid plants.
- 17.16.200 Standards of performance for sulfuric acid plants.
- 17.16.210 Standards of performance for asphalt concrete plants.
- 17.16.220 ~~Standards of performance for petroleum refineries.~~ (Reserved)
- 17.16.230 Standards of performance for storage vessels for petroleum liquids.
- 17.16.240 Standards of performance for secondary lead smelters.
- 17.16.250 Standards of performance for secondary brass and bronze ingot production plants.
- 17.16.260 Standards of performance for iron and steel plants.
- 17.16.270 Standards of performance for sewage treatment plants.
- 17.16.280 ~~Standards of performance for primary copper smelters; site specific requirements.~~ (Reserved)
- 17.16.290 ~~Standards of performance for primary copper smelters; compliance and monitoring.~~ (Reserved)
- 17.16.300 ~~Standards of performance for primary copper smelters; fugitive emissions.~~ (Reserved)
- 17.16.310 Standards of performance for coal preparation plants.
- 17.16.320 Standards of performance for steel plants: electric arc furnaces (EAF).
- 17.16.330 Standards of performance for kraft pulp mills.
- 17.16.340 Standards of performance for stationary rotating machinery.
- 17.16.350 Standards of performance for lime manufacturing plants.
- 17.16.360 Standards of performance for nonferrous metals industry sources.
- 17.16.370 Standards of performance for gravel or crushed stone processing plants.
- 17.16.380 Standards of performance for concrete batch plants.
- 17.16.390 Standards of performance for existing municipal solid waste landfills.
- 17.16.400 Organic solvents and other organic materials.
- 17.16.410 Standards of performance for cotton gins.
- 17.16.420 Standards of performance for ammonium sulfide manufacturing plants.
- 17.16.430 Standards of performance for unclassified sources.

Article V. Emissions from New and Existing Portable Sources.

- 17.16.440 (Reserved)
- 17.16.450 Off-road machinery.
- 17.16.460 Heater-planer units.
- 17.16.470 Roadway and site cleaning machinery.
- 17.16.480 Asphalt or tar kettles.

Article VI. New Source Performance Standards.

- 17.16.490 Standards of performance for new stationary sources (NSPS).
- 17.16.500 Standards of performance for fossil-fuel fired steam generators.
- 17.16.510 Standards of performance for incinerators.
- 17.16.520 Standards of performance for storage vessels for petroleum liquids.

Article VII. National Emission Standards for Hazardous Air Pollutants.

- 17.16.530 National Emissions Standards for Hazardous Air Pollutants (NESHAP).
- 17.16.540 (Reserved)

**Article VIII. New Major Sources and Major Modifications to Existing Major Sources.**

- 17.16.550 General.
- 17.16.560 Permits for sources located in nonattainment areas.
- 17.16.570 Offset and net air quality benefit standards.
- 17.16.580 Special rule for sources of VOC or oxides of nitrogen in ozone nonattainment areas classified as serious or severe.
- 17.16.590 Permit requirements for sources located in attainment and unclassifiable areas.
- 17.16.600 Air quality impact analysis and monitoring requirements.
- 17.16.610 Innovative control technology.
- 17.16.620 Air quality models.
- 17.16.630 Visibility protection.
- 17.16.640 Special rule for non-operating sources of sulfur dioxide in sulfur dioxide nonattainment areas.

**Article IX. Emissions of Hazardous Air Pollutants (HAPS).**

- 17.16.645 Effective date.
- 17.16.650 Definitions.
- 17.16.660 Federal list of hazardous air pollutants.
- 17.16.670 Standards of performance for hazardous air pollutants.
- 17.16.680 Control of federal hazardous air pollutants.
- 17.16.690 Case-by-case MACT determinations.
- 17.16.700 Alternative emission limitations.

**Article X. Ozone depleting substances.**

- 17.16.710 Sale and use of refrigerant substitutes.

**Article I. General Provisions.**

No Change

**Article II. Visible Emission Standards.**

No Change

**Article III. Emissions from Existing and New Nonpoint Sources.**

No Change

**Article IV. New and Existing Stationary Source Performance Standards.**

**17.16.130 Applicability.**

- A. No Change
- B. No Change
- C. No Change
- D. No Change
- E. If the control officer receives a petition under subsection (D) the control officer shall approve or deny the petition as provided below by October 15, 2004:
  - 1. If the petition is approved under subsection (D)(1) or (D)(2), the control officer shall include an alternative opacity limit in a proposed significant permit revision for the source under 17.12.260 and 17.12.340. The proposed alternative opacity

EXPEDITED

**17.16.420 Standards of performance for ammonium sulfide manufacturing plants.**

No Change

**17.16.430 Standards of performance for unclassified sources.**

No Change

**Article V. Emissions from New and Existing Portable Sources.**

No Change

**Article VI. New Source Performance Standards.**

No Change

**Article VII. National Emission Standards for Hazardous Air Pollutants.**

**17.16.530 National Emissions Standards for Hazardous Air Pollutants (NESHAP).**

A. No Change

- B. Except as provided in subsection A, the following subparts of 40 CFR Part 63, NESHAPs for Source Categories and all accompanying appendices, adopted as of July 1, 2004 and no future editions are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.
1. Subpart A - General Provisions (Section 63.1 - 63.15)
  2. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j) (Section 63.40 - 63.56)
  3. Subpart C - Excluded
  4. Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants. (Section 63.70 - 63.81)
  5. Subpart E - Excluded
  6. Subpart F - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (Section 63.100 - 63.107 & Tables)
  7. Subpart G - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (Section 63.110 - 63.152 & Appendix)
  8. Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (Section 63.160 - 63.182 & Tables)
  9. Subpart I - National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (Section 63.190 - 63.193)
  10. Subpart J - Reserved
  11. Subpart K - Reserved
  12. Subpart L - National Emission Standards for Coke Oven Batteries. (Section 63.300 - 63.313 & Appendix)
  13. Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities. (Section 63.320 - 63.325)
  14. Subpart N - National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. (Section 63.340 - 63.347 & Table)
  15. Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities (Section 63.360 - 63.367)

16. Subpart P - Reserved
17. Subpart Q - National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers (Section 63.400 - 63.406 & Table)
18. Subpart R - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations). (Section 63.420 - 63.429 & Table)
19. Subpart S - National Emission Standards for Pulp and Paper (Section 63.440 - 63.459 & Table)
20. Subpart T - National Emission Standards for Halogenated Solvent Cleaning. (Section 63.460 - 63.470 & Appendices)
21. Subpart U - Group I Polymers and Resins (Section 63.480 - 63.506 & Tables)
22. Subpart V - Reserved
23. Subpart W - National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production. (Section 63.520 - 63.528 & Table)
24. Subpart X - National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting (Section 63.541 - 63.550)
25. Subpart Y - Excluded
26. Subpart Z - Reserved
27. Subpart AA - National Emission Standards for Hazardous Air Pollutants for Phosphoric Acid Manufacturing Plants (Section 63.600 - 63.610 & Appendix)
28. Subpart BB - National Emission Standards for Hazardous Air Pollutant for Phosphate Fertilizers Production Plants (Section 63.620 - 63.631 & Appendix)
29. Subpart CC - National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (Section 63.640 - 63.679 & Appendix)
30. Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations (Section 63.680 - 63.698 & Tables)
31. Subpart EE - National Emission Standards for Magnetic Tape Manufacturing Operations. (Section 63.701 - 63.708 & Table)
32. Subpart FF - Reserved
33. Subpart GG - National Emission Standards for Aerospace Manufacturing and Rework Facilities (Section 63.741 - 63.759 & Table & Appendix)
34. Subpart HH - National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities (Section 63.760 - 63.779 & Appendix)
35. Subpart II - Excluded
36. Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations (Section 63.800 - 63.819 & Tables)
37. Subpart KK - National Emission Standards for the Printing and Publishing Industry (Section 63.820 - 63.839 & Tables)
38. Subpart LL - National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants (Section 63.840 - 63.859 & Tables & Appendix)
39. Subpart MM - Excluded
40. Subpart OO - National Emission Standards for Tanks- Level 1 (Section 63.900 - 63.907)
41. Subpart PP - National Emission Standards for Containers (Section 63.920 - 63.928)
42. Subpart QQ - National Emission Standards for Surface Impoundments (Section 63.940 - 63.948)
43. Subpart RR - National Emission Standards for Individual Drain Systems (Section 63.960 - 63.966)
44. Subpart SS - National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process (Section 63.980 - 63.999)
45. Subpart TT - National Emission Standards for Equipment Leaks -Control Level 1 (Section 63.1000 - 63.1018)
46. Subpart UU - National Emission Standards for Equipment Leaks -Control Level 2 (Section 63.1019 - 63.1039 & Table)
47. Subpart VV - National Emission Standards for Oil-Water Separators and Organic-Water Separators (Section 63.1040 - 63.1049)
48. Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2 (Section 63.1060 - 63.1066)

49. Subpart XX - Reserved
50. Subpart YY - National Emission Standards for Hazardous Air Pollutants for Generic MACT Maximum Achievable Control Technology Standards (Section 63.1100 - 63.1113)
51. Subpart ZZ - Reserved
52. Subpart AAA - Reserved
53. Subpart BBB - Reserved
54. Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling (Section 63.1156 - 63.1174 & Table)
55. Subpart DDD - National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production (Section 63.1175 - 63.1199 & Table & Appendix)
56. Subpart EEE - National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (Section 63.1200 - 63.1213 & Table & Appendix)
57. Subpart FFF - Reserved
58. Subpart GGG - National Emission Standards for Pharmaceuticals Production (Section 63.1250 - 63.1261 & Tables)
59. Subpart HHH - National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities (Section 63.1270 - 63.1289 & Appendix)
60. Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production (Section 63.1290 - 63.1309 & Appendix)
61. Subpart JJJ - National Emission Standards for Hazardous Air Pollutants: Group IV Polymers and Resins (Section 63.1310 - 63.1335 & Tables)
62. Subpart KKK - Reserved
63. Subpart LLL - National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry (Section 63.1340 - 63.1359 & Table)
64. Subpart MMM - National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production (Section 63.1360 - 63.1369 & Tables)
65. Subpart NNN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing (Section 63.1380 - 63.1399 & Table & Appendices)
66. Subpart OOO - National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins (Section 63.1400 - 63.1419 & Tables)
67. Subpart PPP - National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production (Section 63.1420 - 63.1439 & Tables)
68. Subpart QQQ - National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting (Section 63.1440 - 63.1459 & Table & Figure)
69. Subpart RRR - National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production (Section 63.1500 - 63.1520 & Tables)
70. Subpart SSS - Reserved
71. Subpart TTT - National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting (Section 63.1541 - 63.1550)
72. Subpart UUU - National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, And Sulfur Plan Units (Section 63.1560 - 63.1579 & Tables)
73. Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works (Section 63.1580 - 63.1595 & Table)
74. Subpart WWW - Reserved
75. Subpart XXX - National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production (Section 63.1620 - 63.1679)
76. Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (Section 63.1930 - 63.1990 & Appendix)
77. Subpart CCCC - National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast (Section 63.2130 - 63.2192 & Appendices)
78. Subpart DDDD - Reserved
79. Subpart EEEE - National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) (Section 63.2330 - 63.2406 & Appendices)
80. Subpart FFFF - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing (Section 63.2430 - 63.2550 & Appendices)

81. Subpart GGGG - National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production (Section 63.2830 - 63.2872)
82. Subpart HHHH - National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production (Section 63.2980 - 63.3079 & Appendices)
83. Subpart IIII - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light Duty Trucks (Section 63.3080 - 63.3176 & Tables & Appendix A)
834. Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating (Section 63.2130 - 63.2192 63.3280 - 63.3420 & Tables) & Appendices)
845. Subpart KKKK--National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans (Section 63.3480 - 63.3561 & Appendices Tables)
856. Subpart MMMM--National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products (Section 63.3880 - 63.3981 & Tables & Appendices Appendix A)
867. Subpart NNNN - National Emission Standards for Hazardous Air Pollutants: Large Appliances (Section 63.4080 - 63.4181 & Appendices Tables)
878. Subpart OOOO--National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles (Section 63.4280 - 63.4371 & Appendices Tables)
89. Subpart PPPP - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products (Section 63.4480 - 63.4581 & Tables & Appendix A)
8890. Subpart QQQQ - National Emission Standards for Hazardous Air Pollutants: Wood Building Products (Section 63.4680 - 63.4781 & Appendices)
891. Subpart RRRR - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture (Section 63.4880 - 63.4981 & Appendices)
- 92. Subpart SSSS - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil (Section 63.5080 - 63.5206 & Appendices)
913. Subpart TTTT - National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations (Section 63.5280 - 63.5460 & Appendices)
924. Subpart UUUU - National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing (Section 63.5480 - 63.5610 & Appendices)
935. Subpart VVVV - National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing (Section 63.5680 - 63.5779 & Appendices)
946. Subpart WWWW - National Emission Standards for Hazardous Air Pollutants: Reinforced Plastics Composites Production (Section 63.5780 - 63.5935 & Appendices)
957. Subpart XXXX - National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing (Section 63.5980 - 63.6015 & Appendices)
968. Subpart YYYYY--National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines (Section 63.6080 - 63.6175 & Appendices)
979. Subpart ZZZZ - Reserved National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Section 63.6580 - 63.6675 & Tables)
98100. Subpart AAAAA--National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants (Section 63.7080 - 63.7143 & Appendices)
99101. Subpart BBBB - National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing (Section 63.7180 - 63.7195 & Appendices)
1002. Subpart CCCCC - National Emission Standards for Hazardous Air Pollutants for Coke Oven: Pushing, Quenching and Battery Stacks (Section 63.7280 - 63.7352 & Appendix Table 1)
1013. Subpart DDDDD - Reserved
1024. Subpart EEEEE--National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries (Section 63.7680 - 63.7765 & Appendix)
1035. Subpart FFFFF - National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel (Section 63.7780 - 63.7852 & Appendices Tables)
1046. Subpart GGGG--National Emission Standards for Hazardous Air Pollutants: Site Remediation (Section 63.7880 - 63.7957 & Appendices Tables)

- 1057. Subpart HHHHH--National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing (Section 63.7980 - 63.8105 & Appendices Tables)
- 1068. Subpart IIIII--National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants (Section 63.8180 - 63.8266 & Appendices Tables)
- 1079. Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing (Section 63.8380 - 63.8515 & Appendices Tables)
- 10810. Subpart KKKKK - National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing (Section 63.8530 - 63.8665 & Appendices Tables)
- 10911. Subpart LLLLL - National Emission Standards for Hazardous Air Pollutants for Asphalt Roofing and Processing (Section 63.8680 - 63.8698 & Appendices Tables)
- 1102. Subpart MMMMM - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Fabrication Operation (Section 63.8780 - 63.8830 & Appendices Tables)
- 1143. Subpart NNNNN--National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production (Section 63.8980 - 63.9075 & Appendices Tables)
- 1124. Subpart OOOOO - Reserved
- 1135. Subpart PPPPP - National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards (Section 63.9280 - 63.9375 & Appendices Tables)
- 1146. Subpart QQQQQ - National Emission Standards for Hazardous Air Pollutants for Friction Products Manufacturing (Section 63.9480 - 63.9579 & Appendix Table 1)
- 1157. Subpart RRRRR--National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing (Section 63.9580 - 63.9652 & Appendices Tables)
- 1168. Subpart SSSSS - National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing (Section 63.9780 - 63.9824 & Appendices Tables)
- 1179. Subpart TTTTT--National Emissions Standards for Hazardous Air Pollutants for Primary Magnesium Refining (Section 63.9880 - 63.9942 & Appendices & Tables)

- C. When used in 40 CFR Part 61 or part 63, "Administrator" means the control officer except that the control officer shall not be authorized to approve alternate or equivalent test methods or alternate standards/work practices.
- D. From the general standards identified in subsection A of this section delete 40 CFR 61.04. All requests, reports, applications, submittals and other communications to the Control Officer pursuant to this article shall be submitted to the Pima County Department of Environmental Quality, 130 W. Congress, Tucson, AZ 85701.
- E. The control officer shall not be delegated authority to deal with equivalency determinations that are nontransferable through section 112(e)(3) of the Act. (Ord. 2005 - § 3, 2005; Ord. 2004-97 § 4; Ord. 1998-27 § 15, 1998; Ord. 1997-79 § 10, 1997; Ord. 1995-87 § 49, 1995; Ord. 1994-83 § 60, 1994; Ord. 1993-128 § 4 (part), 1993; Ord. 1991-136 § 14, 1991; Ord. 1988-117 § 1, 1988; Ord 1986-227 § 1 (part), 1986; Ord. 1985-126 (part), 1985; Ord. 1983-196 (part), 1983)

17.16.540 (Reserved) (Ord. 1995-87 § 50, 1995; Ord. 1994-83 § 61, 1994; Ord. 1993-128 § 4 (part), 1993)

No Change

**Article VIII. New Major Sources and Major Modifications to Existing Major Sources.**

No Change

**Article IX. Emissions of Hazardous Air Pollutants (HAPS).**

No Change

**Article X. Ozone depleting substances.**

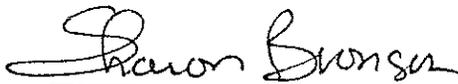
No Change

SECTION 5. If any of the provisions of this ordinance or the application thereof to any person or circumstance is invalid, the invalidity shall not effect other provisions or applications of this ordinance which can be given effect without the invalid provision or circumstance, and do this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall become effective 31 days from the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona this 19th day of April, 2005.

PIMA COUNTY BOARD OF SUPERVISORS

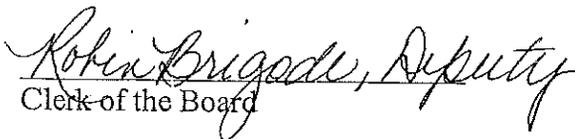


Chair, Board of Supervisors

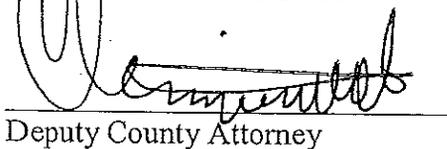
APR 19 2005

Date

ATTEST:

  
Clerk of the Board

APPROVED AS TO FORM:

  
Deputy County Attorney