COUNTY NOTICES PURSUANT TO A.R.S. § 49-112

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NOTICE OF EXPEDITED RULEMAKING

PINAL COUNTY AIR QUALITY CONTROL DISTRICT

PURSUANT TO §49-471.01 et seq.

[M14-158]

1. Preamble

A. The Pinal County Air Quality Control District, an operating division of Pinal County, proposes that the Board of Supervisors adopt or amend certain rules under authority of A.R.S. §§49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution and to adopt a stationary source permit program.
The specific affected rules are identified below and include an amendment to §1-1-105 with the ultimate purpose of this rulemaking being the submittal of the amended rules as elements of the Arizona State Implementation Plan (SIP) as required under the Clean Air Act (CAA). This rulemaking is taking place to address an Environmental Protection Agency (EPA) limited disapproval (77FR66398) of Pinal County Air Quality Rules related to the Infrastructure State Implementation Plan (I-SIP) CAA requirements for the 1997 8-hour ozone and 1997 and 2006 fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS). In particular, the EPA partially disapproved the portion of the Arizona I-SIP pertaining to the conflict of interest provision in CAA sections 110(a)(2)(E)(ii) and 128.

B. All of the proposed corresponding changes are discussed in subsection E. of this preamble, and include the following sections:

Section Affected	Rulemaking Action
§1-1-105	Amend
§1-3-140.74	Amend

C. Those wishing further information regarding any aspect of this proposal may contact Scott DiBiase, Planning Manager, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 520-866-6929, scott.dibiase@pinalcountyaz.gov. To the extent possible, the District will also post information on the County's website, *pinalcountyaz.gov*, under the "air quality" link.

D. Given the obligatory nature of the proposed action, this rule-adoption will follow the expedited rule-making process defined in A.R.S. §49-471.08. Following publication of a notice of expedited rulemaking and a 30-day public comment period, the proposal along with a summary of any comments received will be submitted to the Board of Supervisors for consideration and possible adoption. The tentative date for the hearing-of-adoption before the Board of Supervisors is July 23, 2014. The final date, time and location for the hearing-of-adoption before the Board of Supervisors will be separately scheduled and noticed in accord with the requirements of A.R.S. §49-479 and 40 C.F.R. §51.102.

E. The proposed revisions include the following:

1. §1-1-105 – The addition of the amendment date to Chapter 1, Article 3 for this rulemaking with the declaration by the Board of Supervisors that the amended section associated with this proposed rulemaking that's within this Code (§1-3-140), be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP.
2. §1-3-140.74 – In response to an EPA limited approval/disapproval for the state infrastructure implementation plan (SIP) [77FR66398], §1-3-140.74 is proposed to be amended for the definition of Hearing Board in order to add the stipulation that at least three members of the board shall not have a substantial interest, as defined in A.R.S. § 38-502, in any person required to obtain a permit or subject to enforcement orders issued under these rules.

F. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:
U.S. EPA Region 9, Air Division, July 2, 2012 Technical Support Document: EPA Evaluation of Arizona Provisions for Section 110(a)(2)(E)(ii)/Section 128 Conflict of Interest Requirements (EPA-R09-OAR-2012-0398-0075).

G. Economic, small business and consumer impact statement

Given the "at least as stringent" mandate of A.R.S. §49-479, the District has not attempted to assess any added costs associated with the conforming changes discussed in subsection D above.

H. In accord with A.R.S. §49-471.07(F), the proposed changes will take effect upon approval by the Board of Supervisors.

I. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these proposed changes do not impose any additional fees on those sources.

J. Pursuant to A.R.S. 49-471.08(A)(2), Michael Sundblom, the Control Officer for the District, finds that the EPA has articulated in compelling fashion that federal law requires that the Pinal County Air Quality Control District definition of Hearing Board comply with CAA Section 110(a)(2)(E)(ii) and Section 128. The Control Officer finds that the proposed rules are substantially identical to the sense, meaning and effect of the underlying federal mandate.

2. The full text of the proposed changes follows:

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:
   1. Chapter 1
      a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
      b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
      c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, **, ##/##/##,** except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")
   2. Chapter 2
      a. Article 1. (As amended 10/12/95).
      b. Article 2. (As amended 5/14/97).
      c. Article 3. (As amended 10/12/95).
      d. Article 4. (As amended 10/12/95).
      e. Article 5. (As amended 10/12/95).
      f. Article 6. (As amended 10/12/95).
      g. Article 7. (As amended 10/12/95).
      h. Article 8. (As amended 5/18/05, as amended 1/7/09).
   3. Chapter 3
      a. Article 1. (As amended 5/14/97, and 5/27/98 and 7/12/00), excluding:
         i. §3-1-020
         ii. §3-1-045
         iii. §3-1-080
         iv. §3-1-100
      b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
      c. Article 3. (As amended 10/12/95).
      d. Article 8. (As amended 10/12/95 and 10/27/04).
   4. Chapter 4
      a. Article 1. (As amended 2/22/95).
      b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
      c. Reserved.
      d. Article 4 (As amended 6/3/09).
      e. Article 5 (As amended 6/3/09).
      f. Reserved.
      g. Article 7 (As amended 6/3/09).
      h. Reserved.
      i. Article 9, limited to:

i. §4-9-320 (As amended 6/3/09).
ii. §4-9-340 (As amended 6/3/09).

B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
2. "modification," as defined in Nov. '93 Code §1-3-140.85; and

C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
   a. §111 of the Clean Air Act; or
   b. Title IV of the 1990 amendments to the Clean Air Act; or
   c. Title VI of the 1990 amendments to the Clean Air Act; or
   d. Any section of this Code that is not a part of the SIP;
3. Operate as an element of the SIP, at least insofar as they impose a "fee";
4. Operate as an element of the SIP, at least insofar as they require a "certification";
5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."

D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
3. Chapter 3, Article 8 (2/22/95) *Open Burning*
4. [Reserved]
5. [Reserved]
6. [Reserved]
7. [Reserved]
8. [Reserved]
9. [Reserved]
10. [Reserved]
11. [Reserved]
12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
14. §5-21-920 (2/22/95) *Fossil Fuel Fired Industrial and Commercial Equipment Standard Applicability*
15. §5-21-930 (2/22/95 and 7/12/00) *Fossil Fuel Fired Industrial and Commercial Equipment Particulate Emission Standard*
16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*
24. §5-24-1055 (2/22/95) *Pumps and Compressors - Organic Compound Emissions*

1-3-140. Definitions

Definitions used in this Code shall have the following meanings except where any narrative portion specifically indicates otherwise:
1. ACID MIST - Sulfuric acid mist as measured by Method 8 in the Arizona Testing Manual for Air Pollutant Emissions (ADEQ, 1992).

1.a ACT - The Clean Air Act (1990).
2. ACTIVITY EQUIPMENT - Any mechanized equipment used for the purpose of clearing land, earthmoving, trenching, road construction or maintenance, mining and extraction of minerals prior to crushing and/or screening, and any equipment used in the demolition or renovation of manmade facilities.
3. ACTUAL EMISSIONS - The actual rate of emissions of a pollutant from an emissions unit as determined in accordance with paragraphs a. through c.
   a. In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The reviewing authority shall allow the use of a different time period upon a determination that is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
   b. Lacking data sufficient to satisfy the requisites of Paragraph a., the Control Officer may presume that the source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.
   c. For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.
4. ADEQ DIRECTOR - Director of the Arizona Department of Environmental Quality.
5. ADMINISTRATOR - The Administrator of the United States Environmental Protection Agency.
6. ADVISORY COUNCIL - The Pinal County Air Quality Control Advisory Council appointed by the Pinal County Board of Supervisors.
7. AFFECTED FACILITY - With reference to a stationary source, any equipment or combination of equipment to which a standard is applicable.
8. AIR CONTAMINANTS - Smoke, vapors, charred paper, dust, soot, grime, carbon, fumes, gases, sulfuric acid mist, aerosols, aerosol droplets, odors, particulate matter, windborne matter, radioactive materials, noxious chemicals, or any other material in the outdoor atmosphere which may adversely impact human health or the environment.
9. AIR POLLUTANT - An air contaminant.
10. AIR POLLUTION - The presence in the outdoor atmosphere of one or more air contaminants or combinations thereof in sufficient quantities, which either alone or in connection with other substances by reason of their concentration and duration are or tend to be injurious to human, plant or animal life, or cause damage to property, or unreasonably interferes with the comfortable enjoyment of life or property of a substantial part of a community, or obscures visibility, or which in any way degrades the quality of the ambient air below the standards established by the ADEQ Director.
11. AIR POLLUTION CONTROL EQUIPMENT - Equipment used to eliminate, reduce or control the emission of air pollutants into the ambient air.
12. ALLOWABLE EMISSIONS - The emission rate of a stationary source calculated using both the maximum rated capacity of the source, unless the source is subject to federally enforceable limits which restrict the operating rate or hours of operation, or both, and the most stringent of the following:
   a. The applicable new source performance standards as contained in Chapter 6; or
   b. The applicable national emission standards for hazardous air pollutants, as contained in Chapter 7; or
   c. The applicable existing source performance standard, as approved for the SIP and contained in Chapter 5; or
   d. The emissions rate specified in any federally promulgated rule or federally enforceable permit condition applicable to Pinal
13. AMBIENT AIR - That portion of the atmosphere, external to buildings, to which the general public has access.
14. APPLICABLE IMPLEMENTATION PLAN - Those provisions of the Arizona state implementation plan approved by the Administrator or a federal implementation plan promulgated in accordance with Title I of the Clean Air Act (1990).
15. APPLICABLE REQUIREMENT - Any federal applicable requirement and any other requirement established pursuant to this Code or A.R.S. Title 49, Chapter 3.
16. APPROVED - Approved in writing by the Pinal County Air Quality Control Officer.

16.a AREA SOURCE

Depending upon context:
   1. Any stationary source of hazardous air pollutants that is not a major source as defined in §1-3-140.80.b.; or
   2. A non-point source of any regulated pollutant.

17. ARIZONA STATE IMPLEMENTATION PLAN - A plan adopted by the state of Arizona and submitted to and approved by the Administrator which provides for the implementation, maintenance and enforcement of the national primary and secondary ambient air quality standards in each air quality control region (or portion thereof) within the state of Arizona as designated under the Clean Air Act §107(c) (1990). Such plan, referred to in this Code as “the SIP”, is identified in 40 C.F.R. §§52.120 - 52.146 (1992).

18. ARIZONA TESTING MANUAL - The Arizona Testing Manual for Air Pollutant Emissions (ADEQ 1992).
19. ATTAINMENT AREA - Any area in this county that has been identified by the Administrator acting pursuant to the Clean Air Act §107 (1990) as being in compliance with national ambient air quality standards.

19.a. BEGIN ACTUAL CONSTRUCTION - In general, initiation of physical onsite construction activities on an emissions unit which are of a permanent nature. With respect to a change in method of operation, initiation of those on-site activities, other than preparatory activities, which mark the initiation of the change.

20. BEST AVAILABLE CONTROL TECHNOLOGY (BACT) - An emissions limitation (including a visible emission standard), based on the maximum degree of reduction for each pollutant subject to regulation under the Clean Air Act (1990) which would be emitted from any proposed major stationary source or major modification which the Control Officer, on a case-by-case basis, taking into account energy, environmental, economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques, for control of such pollutant. Under no circumstances shall BACT be determined to be less stringent than the emission control required by the most restrictive applicable provision of District, State or federal laws or regulations. If the Control Officer determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard or combination thereof may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.
21. BUILDING, STRUCTURE, FACILITY or INSTALLATION - All of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (*i.e.*, which have the same two-digit code) as described in the "Standard Industrial Classification Manual, 1987" (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0, respectively).
22. BOARD - The Board of Supervisors of Pinal County.
23. BULK PLANT - Any loading facility at which gasoline or other organic liquids with a true vapor pressure of 1.5 psia (77.5 mm Hg) or greater under any actual storage conditions are received from delivery vessels for storage in on-site stationary tanks, and from which such liquids also are transferred to delivery vessels.
24. BULK TERMINAL - Any primary distributing facility for delivering organic liquids to bulk plants, service stations and other distribution points and where delivery to the facility is by means other than truck.

24a. CAPACITY FACTOR - The ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.

25. CATEGORICAL SOURCE - The following classes of sources:
    a. Carbon black plants using the furnace process;
    b. Charcoal production plants;
    c. Chemical process plants;
    d. Coal cleaning plants with thermal dryers;
    e. Coke oven batteries;
    f. Fossil fuel boilers, or combination thereof, totaling more than 250 million Btus (73 MW) per hour heat input;
    g. Fossil fuel-fired steam electric plants of more than 250 million Btus (73 MW) per hour heat input;
    h. Fuel conversion plants;
    i. Glass fiber processing plants;
    j. Hydrofluoric, sulfuric, or nitric acid plants;
    k. Iron and steel mills;
    l. Kraft pulp mills;
    m. Lime plants;
    n. Municipal incinerators capable of charging more than 250 tons of refuse per day;
    o. Petroleum refineries;
    p. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
    q. Phosphate rock processing plants;
    r. Portland cement plants;
    s. Primary aluminum ore reduction plants;
    t. Primary copper smelters;
    u. Primary lead smelters;
    v. Primary zinc smelters;
    w. Secondary metal production plants;

x. Sintering plants;
y. Sulfur recovery plants;
z. Taconite preprocessing plants.

26. CODE - The Pinal County Air Quality Control District Code of Regulations.
27. COMMENCE (used as a verb) - As applies to construction of a source:
    a. For purposes other than Title IV of the Clean Air Act (1990), that the owner or operator has obtained all necessary preconstruction approval or permits required by federal law and this Code and has done either of the following:
        i. Begun or caused to begin a continuous program of physical on-site construction of the source to be completed within a reasonable time.
        ii. Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of construction of the source to be completed within a reasonable time.
    b. For purposes of Title IV of the Clean Air Act (1990), that the owner or operator has undertaken a continuous program of construction or that an owner or operator has entered into a contractual obligation to undertake and complete within a reasonable time a continuous program of construction.
28. CONSTRUCTION - Any physical change in a source or change in the method of operation of a source including fabrication, erection, installation or demolition of a source that would result in a change in actual emissions.
29. CONTIGUOUS GEOGRAPHICAL AREA - A geographical area owned, leased, or under common control of the same proprietor, in which all portions are in contact by land surfaces (other than public roads or a body of water), and the outside boundary of such area can be circumscribed by a single unbroken boundary line.
30. CONTROL - Air pollution control or control of air pollution emissions.
31. CONTROL DEVICE - Air pollution control equipment.
32. CONTROL OFFICER - The director and executive head of the Pinal County Air Quality Control District responsible for performing duties and exercising powers prescribed by law.
33. CONVENTIONAL AIR POLLUTANT - A criteria pollutant.
34. COUNTY - Pinal County, Arizona.
35. CRITERIA POLLUTANT - A pollutant for which a national ambient air quality standard (NAAQS) has been established under the Clean Air Act §109 (1990).
36. DAY - A period of 24 consecutive hours beginning at midnight.
37. *DE MINIMIS* AMOUNT - For the purposes of this Code, the *de minimis* amount is the lesser of:
    a. The potential of a source to emit 1 ton per year of any air pollutant; or
    b. The potential of a source to emit 5.5 lbs/day of any air pollutant.
38. DELIVERY VESSELS - Any vehicular-mounted container(s) such as railroad tank cars, tanker trucks, tank trailers or any other mobile container used to transport gasoline, petroleum, petroleum distillates, or other organic compounds.
39. DEPARTMENT - The Pinal County Department of Health and Human Services.
40. DEPUTY CONTROL OFFICER - A person designated to carry out such duties as may be delegated by the Control Officer.
41. DEVICE, MACHINE, EQUIPMENT or OTHER ARTICLES - Equipment.
42. DISCHARGE - The release, escape or emission of an air contaminant into the atmosphere.
43. DISPENSING TANK - Any stationary tank which dispenses organic liquid fuel directly into the fuel tanks of motor vehicles including aircraft.
44. DISTRICT - The Pinal County Air Quality Control District, comprising an administrative branch of Pinal County, a political subdivision of the State of Arizona.
45. DOWNWASH - A phenomenon whereby emissions from a stack are trapped in the wake or eddy produced by the stack itself, a nearby building or terrain features such as hills or sharp drops in elevation.
46. DRY WASH - The dry bed of a stream or river.
47. DUST - Airborne finely divided solid particulate matter.
48. DUST SUPPRESSANT - Water or a chemical compound or mixture of chemical compounds added with or without water to a dust source for purposes of preventing air entrainment.
49. EMERGENCY ELECTRICAL ENERGY EQUIPMENT - Any emergency power equipment serving only as a secondary source of electric power or any other equipment intended for and used only in a backup system or for use in emergencies and whose annual operating hours never exceed 72.
50. EMISSION - An air contaminant or gas stream vented to the atmosphere or the act of discharging into the atmosphere an air contaminant or gas stream, visible or invisible.
51. EMISSION LIMITATION and EMISSION STANDARD - A requirement established by the State, the County or the Administrator which limits the quantity, rate or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifica-

tions, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

52. EMISSIONS UNIT - Any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under this Code.
53. EQUIPMENT - Any machine, incinerator, activity equipment, devices, or other article including pollution control equipment that can or may contribute to or control emissions.
54. EXCESS EMISSIONS - Emissions of an air pollutant in excess of an emission standard as measured by the compliance test method applicable to such emission standard.
55. EXCESS ORGANIC LIQUID DRAINAGE - More than 10 milliliters (0.34 fluid ounces) per disconnect.
56. EXISTING SOURCE - Any source which possesses authority to operate, in the form of a permit issued by the District, ADEQ or other competent authority.
57. FARM - A properly zoned parcel of real estate used principally to grow crops or raise animals, which real estate is further classified for property tax purposes as being used for agricultural uses.
58. FEDERAL APPLICABLE REQUIREMENT - Any of the following as they apply to emissions units covered by a Class I, II or III permit (including requirements that have been promulgated or approved by EPA through rulemaking at the time of issuance but have future effective compliance dates):
    a. Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under Title I of the Clean Air Act (1990) that implements the relevant requirements of the Clean Air Act (1990), including any revisions to that plan promulgated in 40 C.F.R. Part 52 (1992);
    b. Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under Title I, including Parts C or D, of the Clean Air Act (1990);
    c. Any standard or other requirement under §111 of the Clean Air Act (1990), including §111(d);
    d. Any standard or other requirement under §112 of the Clean Air Act (1990), including any requirement concerning accident prevention under §112(r)(7) of the Clean Air Act (1990);
    e. Any standard or other requirement of the acid rain program under Title IV of the Clean Air Act (1990) or the regulations promulgated thereunder and incorporated pursuant to §3-6-565;
    f. Any requirements established pursuant to §504(b) or §114(a)(3) of the Clean Air Act (1990);
    g. Any standard or other requirement governing solid waste incineration, under §129 of the Clean Air Act (1990);
    h. Any standard or other requirement for consumer and commercial products, under §183(e) of the Clean Air Act (1990);
    i. Any standard or other requirement for tank vessels under §183(f) of the Clean Air Act (1990);
    j. Any standard or other requirement of the program to control air pollution from outer continental shelf sources, under §328 of the Clean Air Act (1990);
    k. Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Clean Air Act (1990), unless the Administrator has determined that such requirements need not be contained in a Title V permit; and
    l. Any national ambient air quality standard or increment or visibility requirement under Part C of Title I of the Clean Air Act (1990), but only as it would apply to temporary sources permitted pursuant to §504(e) of the Clean Air Act (1990).
59. FEDERALLY ENFORCEABLE - All limitations and conditions which are enforceable by the Administrator, under the Clean Air Act (1990), including those requirements developed pursuant to 40 C.F.R. Parts 60 and 61 (1992), requirements within the SIP, any permit requirements established pursuant to 40 C.F.R. §52.21 (1992) or under regulations approved pursuant to 40 C.F.R. Part 51, Subpart I (1992), including permits issued under a permit program approved by the Administrator under Clean Air Act (1990) §112 or under Title V of the Clean Air Act Amendments of 1990, or issued under a permit program that is incorporated into the SIP.
60. FEDERALLY LISTED HAZARDOUS AIR POLLUTANT - Any air pollutant adopted pursuant to A.R.S. §49-426.03, Subsection A. (1992) and not deleted pursuant to that subsection.
61. FLOATING ROOF - A storage-vessel cover consisting of a pontoon, single-deck, double-deck, or internal floating solid material which rests upon the surface of and is supported by the liquid contents, and is equipped with a seal to close the space between the edge of the solid material and tank wall.
62. FLUE - A duct or passage, such as a stack or chimney, for air contaminants.
63. FOSSIL FUEL-FIRED STEAM GENERATOR - A furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.
64. FUEL - Any material which is burned for the purpose of producing energy.
65. FUGITIVE DUST - Naturally occurring particles uncontaminated by pollutants resulting from industrial activity. Fugitive dust may include emissions from unpaved roads, paved roads, tilled farm land, exposed surface construction sites, mining activities associated with overburden removal, blasting, haul road truck transport and native soil or overburden material which becomes airborne naturally or from any other source.

66. FUGITIVE EMISSIONS - Those emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.
67. GAS TIGHT - Having no leak of gaseous organic compound(s) exceeding 10,000 ppm above background when measurements are made using EPA Method 21 (40 C.F.R. Part 60, Appendix A) with a methane calibration standard.
68. GASOLINE - Any petroleum distillate or petroleum distillate/alcohol blend or alcohol having a vapor pressure of 1.5 psia (77.5 mm Hg) or greater under actual loading conditions and which is used as a fuel for internal combustion engines.
69. GASOLINE VAPORS - Organic compounds in gas-phase gasoline including displaced vapors and any entrained liquid gasoline.
70. HAUL ROAD - A road constructed for the principal purpose of hauling construction materials, or to provide access to one or more construction sites, mining activities, or industrial operations.
71. HAZARDOUS AIR POLLUTANT - Any federally listed hazardous air pollutant and any state hazardous air pollutant.
72. HAZARDOUS AIR POLLUTANT REASONABLY AVAILABLE CONTROL TECHNOLOGY (HAPRACT) - An emissions standard for hazardous air pollutants which the Control Officer, acting pursuant to §49-480.04(C), determines is reasonably available for a source. In making the foregoing determination, the Control Officer shall take into consideration the estimated actual air quality impact of the standard, the cost of complying with the standard, the demonstrated reliability and widespread use of the technology required to meet the standard, and any non-air quality health and environmental impacts and energy requirements. For purposes of this definition, an emissions standard may be expressed as a numeric emissions limitation or as a design, equipment, work practice, or operational standard.
73. HAZARDOUS WASTE - A hazardous waste as defined in 40 C.F.R. §261 Subpart A (1992).
74. HEARING BOARD - The Air Quality Control District Hearing Board ~~established pursuant to A.R.S. §49-478 (1992)~~ shall consist of five members. The five members shall be knowledgeable in the field of air pollution. At least one member of the board shall be an attorney licensed to practice law in this state. At least three members shall not have a substantial interest, as defined in A.R.S. §38-502, in any person required to obtain a permit or subject to enforcement orders issued under Pinal County Air Quality Control District Code of Regulations. Each Board member shall serve for a term of three years. The hearing board shall select a chairman and vice-chairman and such other officers as it deems necessary. The Board of Supervisors may authorize compensation for hearing board members, and may authorize reimbursement for subsistence and travel, including travel from and to their respective places of residence when on official business
75. HEREIN - When used anywhere in this Code, refers to the complete set of rules and regulations contained in this Code.

75a. INSIGNIFICANT ACTIVITY - With respect to sources required to obtain a permit, an activity in an emission unit that is not otherwise subject to any applicable requirement and which meets any of the following requirements:

a. The activity accounts for less than 1% of the source's total existing emissions of conventional air pollutants or less than 200 pounds per year of regulated air pollutants, whichever is less.
b. The activity belongs to one of the following categories:
    i. Normal landscaping, building maintenance or janitorial activities.
    ii. Gasoline storage tanks with capacity of 500 gallons or less.
    iii. Diesel and fuel oil storage tanks with capacity of 40,000 gallons or less.
    iv. Batch mixers with rated capacity of 5 cubic feet or less.
    v. Wet sand and gravel production facilities that obtain material from subterranean and subaqueous beds, whose design capacity rate is 25 tons/hour or less, and whose permanent in-plant roads are paved and cleaned to control dust. This does not include activities in emission units which are used to crush or grind any non-metallic minerals.
    vi. Hand-held or manually operated equipment used for aerosol can spray painting, buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of ceramic art work, precision parts, leather, metals, plastics, fiber board, masonry, carbon, glass or wood, but not including sand blasting.
    vii. Powder coating operations.
    viii. Internal combustion (IC) engine driven compressors, IC engine driven electrical generator sets and IC driven water pumps of less than 325 brake horsepower, used only for emergency replacement or standby service and whose annual operating hours never exceed 72.
    ix. Lab equipment used exclusively for chemical and physical analyses.

76. LAND STRIPPING or LAND STRIPPING ACTIVITY - Removal of all or any portion of existing vegetation from parcels of land with equipment which plows or scrapes the ground surface.

77. LEAK FREE - Having no organic liquid leak of more than three drops per minute from any single leak source other than the disconnect operation of liquid fill line and vapor line.
78. LOADING FACILITY - Any operation or facility such as a gasoline storage tank farm, pipeline terminal, bulk plant or loading dock or combination thereof, where organic liquids are transferred or loaded into or out of delivery vessels for future distribution. Included are all related pollutant-emitting activities which are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control).
79. MAJOR MODIFICATION - Any physical change in or change in the operation method of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under this Code.
    a. Any net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone.
    b. Any net emissions increase that is significant for oxides of nitrogen shall be considered significant for ozone for ozone nonattainment areas classified as marginal, moderate, serious or severe.
    c. For the purposes of this definition the following shall not be considered a physical change or change in the method of operation:
        i. Maintenance, repair and replacement which the Control Officer determines to be routine.
        ii. Use of an alternative fuel or raw material be reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974, 15 U.S.C. §792, or by reason of a natural gas curtailment plan pursuant to the Federal Power Act, 16 U.S.C. §§792-825r;
        iii. Use of an alternative fuel by reason of an order or rule under the Clean Air Act §125 (1990);
        iv. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;
        v. Use of an alternative fuel or raw material by a stationary source which either:
            (1) The source was capable of accommodating before December 12, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, pursuant to 40 C.F.R. §52.21 (1992) or under Chapter 3 of this Code; or
            (2) The source is approved to use under any permit issued under 40 C.F.R. §52.21 (1992) or under Chapter 3 of this Code.
        vi. An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, pursuant to 40 C.F.R. §52.21, or under Chapter 3 of this Code.
        vii. Any change in ownership at a stationary source.
80. MAJOR SOURCE (MAJOR STATIONARY SOURCE) - Any of the following stationary sources or group of stationary sources of air pollution:
    a. A major source as defined in §3-3-203;
    b. A major source under §112 of the Clean Air Act (1990):
        i. For pollutants other than radionuclides, any stationary source that emits or has the potential to emit, in the aggregate and including fugitive emissions, 10 tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to §112(b) of the Clean Air Act (1990), 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as described in Chapter 7. of this Code. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or
        ii. For radionuclides, “major source” shall have the meaning specified by the Administrator by rule;
    c. A major stationary source, as defined in §302(j) of the Clean Air Act (1990), that directly emits or has the potential to emit, 100 tpy or more of any air pollutant. The fugitive emissions of a stationary source shall not be considered in determining whether it is a major source for the purposes of §302(j) of the Act, unless:
        i. The source is a categorical source; or
        ii. The source belongs to a source category regulated by a standard promulgated under section 111 or 112 of the Act, but only with respect to those air pollutants that have been regulated for that category.
81. MALFUNCTION - Any sudden and unavoidable failure of air pollution control equipment or process equipment or a process to operate in a normal and usual manner. Failures that are caused by poor maintenance, or could have been prevented by the exercise of reasonable care shall not be considered a malfunction.
82. MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) - An emission standard that requires the maximum degree of reduction in emissions of any hazardous air pollutant subject to regulation under this Code, including a prohibition of such emissions where achievable, that the Control Officer, taking into consideration the cost of achieving such emission reduction and any non-air quality health and environmental impacts and

energy requirements, determines is achievable by a source to which such standard applies, through application of measures, processes, methods, systems or techniques including, but not limited to, measures which:

a. Reduce the volume of, or eliminate emissions of, such pollutants through process changes, substitution of materials or other modifications.
b. Enclose systems or processes to eliminate emissions.
c. Collect, capture or treat such pollutants when released from a process, stack, storage or fugitive emissions point.
d. Are design, equipment, work practice, or operational standards, including requirements for operator training or certification.
e. Are a combination of the above.

83. MINING ACTIVITY - An activity involving earthmoving operations, including blasting, for the primary purpose of extracting from the earth minerals such as but not limited to, sand, gravel, overburden, aggregate, limestone, rock, or ore.
84. MINOR SOURCE - A source of air pollution which is not a major source.
85. MODIFICATION or MODIFY - A physical change in or change in the method of operation of a source which increases the actual emissions of any air pollutant emitted by such source by more than an amount numerically equal to a corresponding *de minimis* amount or which results in the emission of any air pollutant not previously emitted by more than such *de minimis* amount. For the purposes of this definition the following shall not be considered a physical change or change in the method of operation:
    a. Maintenance, repair and replacement which the Control Officer determines to be routine.
    b. An increase or decrease in production rate, providing such increase or decrease does not exceed the conditions contained in the source's permit.
    c. An increase or decrease in the hours of operation, providing such increase or decrease does not exceed conditions contained in the source's permit.
    d. The use of an alternative fuel or raw material by reason of an order in effect under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation), or by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act, or by reason of any other forced curtailment or lack of supply of natural gas if such source can furnish to the District a certified copy of the finding of a state or federal governmental body having jurisdiction over such source that attests to the existence of a forced curtailment or lack of supply of natural gas.
    e. The use of an alternative fuel or raw material, if prior to December 12, 1976, the source or facility was capable of accommodating such fuel or material.
    f. The use of an alternative fuel by reason of an order or rule under the Clean Air Act §125 (1990).
    g. The use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;
    h. Any change in ownership at a stationary source.
86. NET EMISSIONS INCREASE - The amount by which the sum of Paragraphs a. and b. exceeds zero:
    a. Any increase in actual emissions from a particular physical change or change in the method of operation of a stationary source.
    b. Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.
    c. An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:
        i. The date 5 years before construction on the particular change commences; and
        ii. The date that the increase from the particular change occurs.
    d. An increase or decrease in actual emissions is creditable only if neither the Control Officer nor any other permit-issuing authority has relied on it in issuing a permit, which is in effect when the increase in actual emissions from the particular change occurs. In addition, in nonattainment areas, a decrease in actual emissions shall be considered in determining net emissions increase due to modifications only if such decrease has not been relied upon to demonstrate attainment or reasonable further progress.
    e. An increase or decrease in actual emissions of sulfur dioxide or PM_{10} which occurs before the applicable baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.
    f. An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.
    g. A decrease in actual emissions is creditable only to the extent that:
        i. The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;
        ii. It is federally enforceable at and after the time that actual construction on the particular change begins;

and

iii. It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

h. An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

87. NEW SOURCE - Any stationary source of air pollution which lacks existing authority to operate, in the form of a permit issued by the District, by ADEQ, or by other competent authority.

88. NONATTAINMENT AREA - An area so designated by the Administrator acting pursuant to the Clean Air Act §107 (1990) as exceeding national ambient air quality standards for a particular pollutant or pollutants. As of November 15, 1990, the nonattainment areas in Pinal County are geographically defined in 40 C.F.R. §81.303 (1991) as being:

Pollutant	Designated Area	
TSP	Hayden:	T5S, R15E
SO_2	Hayden:	T4S, R14E; T4S, R15E; T4S, R16E; T5S, R14E; T5S, R15E; T5S, R16E; T6S, R14E; T6S, R15E; T6S, R16E
	San Manuel:	T8S, R16E; T8S, R17E; T8S, R18E; T9S, R15E; T9S, R16E; T9S, R17E; T9S, R18E; T10S, R15E; T10S, R16E; T10S, R17E
PM_{10}*	Apache Junction:	T1N, R8E
	Hayden:	T4S, R16E; T5S, R16E; T6S, R16E and the portion of the rectangle that lies within the Pinal County line formed by and including T1N, R13E; T1N, R15E; T6S, R13E; T6S, R15E

89. NONPOINT SOURCE - A source emitting air contaminants from other than a flue.

90. NON-PRECURSOR ORGANIC COMPOUND - Those organic compounds which have been designated by EPA as having negligible photochemical reactivity, namely:

a. Methane.
b. Ethane.
c. Methylene chloride (dichloromethane).
d. 1,1,1-trichloroethane (methyl chloroform).
e. 1,1,1-trichloro-2,2,2-trifluoroethane (CFC-113).
f. Trichlorofluoromethane (CFC-11).
g. Dichlorodifluoromethane (CFC-12).
h. Chlorodifluoromethane (CFC-22).
i. Trifluoromethane (FC-23).
j. 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114).
k. Chloropentafluoroethane (CFC-115).
l. 1,1,1-trifluoro-2,2--dichloroethane (HCFC-123).
m. 1,1,1,2-tetrafluoroethane (HFC-134A).
n. 1,1-dichloro-1-fluoroethane (HCFC-141B).
o. 1-chloro-1,1-difluoroethane (HCFC-142B).
p. 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
q. Pentafluoroethane (HFC-125).
r. 1,1,2,2-tetrafluoroethane (HFC-134)
s. 1,1,1-trifluoroethane (HFC-143A).
t. 1,1-difluoroethane (HFC-152A).
u. Parachlorobenzotriflouride, also known as “PCBTF”.
v. Cyclic, branched, or linear completely methylated siloxanes.
w. Acetone.
x. Perchloroethylene.
y. 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC 225ca)
z. 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC 225cb)

aa. 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 4310mee)
bb. Difluoromethane (HFC-32)
cc. Ethylfluoride (HFC-161)
dd. 1,1,1,3,3,3-hexafluoropropane (HFC-236fa)
ee. 1,1,2,2,3-pentafluoropropane (HFC-245ca)
ff. 1,1,2,3,3-pentafluoropropane (HFC-245ea)
gg. 1,1,1,2,3-pentafluoropropane (HFC-245eb)
hh. 1,1,1,3,3-pentafluoropropane (HFC-245fa)
ii. 1,1,1,2,3,3-hexafluoropropane (HFC-236ea)
jj. 1,1,1,3,3-pentafluorobutane (HFC-365mfc)
kk. Chlorofluoromethane (HCFC-31)
ll. 1 chloro-1-fluoroethane (HCFC-151a)
mm. 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)
nn. 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane ($C_4F_9OCH_3$)
oo. 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OCH_3$)
pp. 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ($C_4F_9OC_2H_5$)
qq. 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OC_2H_5$
rr. Methyl acetate; and
ss. perfluorocarbon compounds which fall into these classes:
  i. Cyclic, branched, or linear, completely fluorinated alkanes;
  ii. Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
  iii. Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
  iv. Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
tt. 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C3F7OCH3) (HFE–7000)
uu. 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE–7500, HFE-s702, T–7145, and L–15381)
vv. 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea)
ww. methylformate (HCOOCH3)
xx. The following compound is VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC and shall be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t-butyl acetate.

91. NORMAL FARM OPERATIONS - All activities by the owner, lessee, agent, independent contractor and supplier conducted for the production of crops, livestock, poultry, livestock products or poultry products on any parcel of real estate, which parcel is both zoned for agricultural use and is further classified as being used for agricultural purposes for purposes of real property taxation valuation.
92. ODOR - Smells, aromas or stenches commonly recognized as offensive, obnoxious or objectionable to a substantial part of a community so as to give rise to a public nuisance.
93. OPACITY - The degree to which emissions reduce the transmission of light and obscure the view of an object in the background.
94. OPEN OUTDOOR FIRE or OPEN BURNING - Any combustion of combustible material of any type outdoors, in the open, where the products of combustion are not directed through a flue, chimney, duct, vent, stack, or other restrictive device designed or installed for the principal purpose of discharging the emissions to the air.
95. ORGANIC COMPOUND - Any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides and carbonates and ammonium carbonate.
96. ORGANIC LIQUID - Any organic compound which exists as a liquid under any actual conditions of use, transport or storage.
97. ORGANIC SOLVENT - Any liquid composed wholly or in part of a carbon compound which is capable of dissolving another substance or carrying it in suspension.
98. OWNER or OPERATOR - Any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.
99. PARTICULATE MATTER - Any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 μm.

99a. PM_{10} - Particulate matter with a nominal aerodynamic diameter smaller than or equal to 10 microns (micrometers), as measured by a reference method contained within 40 CFR 50 Appendix J or by an equivalent method designated in accordance with 40 CFR 53.

99b. $PM_{2.5}$ - Particulate matter with a nominal aerodynamic diameter smaller than or equal to 2.5 microns (micrometers), as measured by a reference method contained within 40 CFR 50 Appendix L or by an equivalent

method designated in accordance with 40 CFR 53.

100. PERMIT (used as a verb) - To authorize, allow, make possible, or consent to, either formally or passively.
101. PERMIT SHIELD - A provision in a permit which provides that compliance with the permit shall be deemed compliance with other applicable provisions of the Clean Air Act (1990).
102. PERSON - Any public or private corporation, company, partnership, firm, association or society of persons, the federal government and any of its departments or agencies, the state and any of its agencies, departments, or political subdivisions, as well as a natural person.
103. PETROLEUM LIQUID - Any crude petroleum or any finished or intermediate products which are manufactured by crude petroleum processing and finishing operations.
104. POTENTIAL TO EMIT - The maximum capacity of a stationary source to emit a pollutant, excluding secondary emissions, under its physical and operational design. Any physical or operational limitation of the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable.
105. PRIVATE DRIVEWAY - A road constructed for the sole purpose of gaining access to a one- or two-family residence.
106. PROCESS - One or more operations, including equipment and technology, used in the production of goods or services or the control of by-products or wastes.
107. PROCESS SOURCE - The last operation or process which produces an air contaminant resulting from either:
    a. The separation of the air contaminants from the process material; or
    b. The conversion of constituents of the process materials into air contaminants which is not an air pollution abatement operation.
108. PROCESS WEIGHT - The total weight of all materials, excluding air, introduced into a process source for a representative period of actual operation.
109. PROCESS WEIGHT RATE - The process weight divided by the period over which the process weight was introduced.
110. PUBLIC OFFICER - Any elected or appointed officer of a public agency established by charter, ordinance, resolution, state constitution or statute, but excluding members of the legislature.
111. RECONSTRUCTION - Reconstruction of sources located in nonattainment areas shall be presumed to have taken place where the fixed capital cost of the new components exceeds 50% of the fixed capital cost of a comparable entirely new stationary source, as determined in accordance with the provisions of 40 C.F.R. §§60.15(f)(1)-(3).
112. REDUCTION - Any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.
113. REGULATED AIR POLLUTANT - Any of the following:
    a. Any conventional air pollutant as defined in §1-3-140.33.
    b. Nitrogen oxides and volatile organic compounds.
    c. Any air contaminant that is subject to a standard contained in Chapter 6. of this Code or promulgated under §111 of the Clean Air Act (1990).
    d. Any hazardous air pollutant as defined in Chapter 7 Article 2 of these rules.
    e. Any Class I or II substance listed in §602 of the Clean Air Act (1990).
114. REID VAPOR PRESSURE - The absolute vapor pressure of volatile crude oil and volatile non-viscous petroleum liquids, except liquified petroleum gases, as determined by ASTM D-323-82.
115. RIVERBED - The channel occupied or formerly occupied by a river.
116. ROAD - A path, trail, driveway, freeway, street, or access way which is constructed principally for use by vehicular traffic.
117. ROAD CONSTRUCTION - The construction of a new roadway or the conversion of an existing unpaved road to a paved road.
118. SCRAP METAL FURNACE - A furnace designed to melt metallic scrap for the principal purpose of separating and recovering the metal.
119. SECONDARY EMISSIONS - Emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purposes of this Code, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions may include emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.
120. SERVICE ROAD - A road constructed for the principal purpose of providing maintenance or service of or to

pipelines, power lines, farmland, public utilities, rights-of-way, or refuse collection.

121. SHUTDOWN - The cessation of operation of any air pollution control equipment or process equipment for any purpose, except routine phasing out of process equipment.
122. SIGNIFICANT -
    a. In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any one of the following rates:

POLLUTANT	EMISSIONS RATE (TPY)
Carbon Monoxide	100
Nitrogen Oxides	40
Sulfur Dioxide	40
Particulate Matter	25
PM_{10}	15
Ozone (VOC)	40
Lead	0.6
Fluorides	3
Sulfuric Acid Mist	7
Hydrogen Sulfide	10
Total Reduced Sulfur (including H_2S)	10
Reduced Sulfur Compounds (including H_2S)	10
Municipal Waste Combustor Organics (measured as total tetra- through octa-chlorinated dibenzo-*p*-dioxins and dibenzofurans)	$3.5x10^{-6}$
Municipal Waste Combustor Metals (measured as particulate matter	15
Municipal Waste Combustor Acid Gases (measured as sulfur dioxide and hydrogen chloride)	40
Municipal solid waste landfill emissions (measured as nonmethane organic compounds)	50 (45 megagrams)

    b. In ozone nonattainment areas classified as serious or severe, significant emissions of VOC shall be determined under §3-3-240.
    c. In reference to a net emissions increase or the potential of a source to emit a pollutant subject to regulation under this article that is not listed in Paragraph a. of this subdivision and is not a hazardous air pollutant according to Chapter 7, Article 2 of these rules, any emission rate.
    d. Notwithstanding the emission amount listed in Paragraph a. of this subdivision, "significant" means any emission rate or any net emissions increase associated with a major stationary source or major modification subject to Chapter 3 which would be constructed within 10 km of a Class I area and have an impact on the ambient air quality of such area equal to or greater than 1 $\mu g/m^3$/24-hr average.
123. SMOKE - Particulate matter resulting from incomplete combustion.
124. SOURCE - Any building, structure, facility or installation that may cause or contribute to air pollution or the use of which may eliminate, reduce or control the emission of air pollution.
125. SOURCE OPERATOR - An originator, owner, operator, or lessee of an emission source.
126. STACK - Any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct but not including flares.
127. STACK EMISSIONS - Emissions which enter the air by passing through a vent, stack, flue, or other similar constraining or restrictive device designed or installed for the principal purpose of discharging the effluent.
128. STAGE I VAPOR COLLECTION SYSTEM - A system where gasoline vapors are forced from a tank into a vapor-tight holding system or vapor control system through direct displacement by the gasoline being loaded.
129. STAGE II VAPOR COLLECTION SYSTEM - A system where at least 90 percent by weight of the gasoline vapors that are displaced or drawn from a vehicle fuel tank during refueling are transferred to a vapor-tight holding system or vapor control system.
130. STANDARD CONDITIONS - A gas temperature of 68^oF (20^oC) and a gas pressure of 14.7 psia (29.92 in. Hg). Unless otherwise specified, all analyses and tests shall be calculated and reported at standard gas temperatures and pressure values.
131. START-UP - The setting into operation of any source for any purpose except routine phasing in of process equipment.
132. STATE - The state of Arizona.
133. STATE HAZARDOUS AIR POLLUTANT - Any air pollutant that the ADEQ Director has designated as a hazardous air pollutant pursuant to A.R.S. §49-426.04.A. (1992) and has not been deleted pursuant to A.R.S. §49-426.04.B. (1992).
134. STATIONARY SOURCE - Any building, structure, facility, or installation which, at a fixed location, emits or

may emit any air pollutant subject to regulation under this Code.

135. STATIONARY STORAGE TANK - Any tank, reservoir or other container used to store, but not transport, organic liquids.
136. SUBMERGED FILL PIPE - Any discharge pipe or nozzle which meets either of the following conditions:
    a. For top-filled or bottom-filled tanks, the end of the discharge pipe or nozzle is totally submerged when the liquid level is 6 inches (15 cm) from the bottom of the tank.
    b. For side-filled tanks, the discharge pipe or nozzle is totally submerged when the liquid level is 18 inches (46 cm) from the bottom of the tank.
137. TRUE VAPOR PRESSURE (TVP) - The equilibrium partial pressure exerted by a petroleum liquid.
138. UNCLASSIFIED AREA - An area which the Administrator, because of a lack of adequate data, is unable to classify as an attainment or nonattainment area for a specific pollutant, and which, for purposes of this Code, is treated as an attainment area.
139. UNPAVED PARKING LOT - A contiguous geographical area that is regularly used for the parking of self-propelled vehicles and is not covered with dust-suppressing materials and maintained in such a manner that visible emissions of dust from the parking area are permanently prevented other than during times of normal cleaning or after flooding.
140. UNPAVED ROAD - A road which is not covered with dust-suppressing materials and maintained in such a manner that visible emissions of dust from the road surface are permanently prevented other than during times of normal cleaning or after flooding.
141. VAPOR - The gaseous form of a substance normally occurring in a liquid or solid state under standard conditions.
142. VAPOR LOSS CONTROL DEVICE - Any piping, hoses, equipment, and devices which are used to collect, store or process organic vapors at a bulk terminal, bulk plant, service station or other operation handling gasoline or other organic liquids.
143. VAPOR PRESSURE - The pressure exerted by the gaseous form of a substance in equilibrium with its liquid or solid form.
144. VAPOR RECOVERY/DISPOSAL SYSTEM - The portion of the vapor collection and recovery/disposal system which consists of one of the following:
    a. A system which processes the displaced vapor and recovers at least 90% by weight of the vapors being processed.
    b. A vapor handling system which directs at least 90% by weight of the displaced vapors to a fuel gas system.
    c. Other equipment with an efficiency equal to or greater than the systems described in Paragraphs a. and b. above and approved by the Control Officer.
145. VAPOR TIGHT - A condition where no organic vapor leak reaches or exceeds 100% of the lower explosive limit at a distance of one inch (2.5 cm) from a leak when measured with a combustible gas detector or an organic vapor analyzer, both calibrated with propane.
146. VISIBLE EMISSIONS - Any emissions which are visually detectable without the aid of instrumentation and which contain particulate matter.
147. VOLATILE ORGANIC COMPOUND (VOC) - Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions, which includes any such organic compound other than those non-precursor organic compounds listed in §1-3-140.90.