

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

ARTICLE 1. PROVISIONS

1-1-010. Declaration of policy

- A. The Board of Supervisors of Pinal County finds and declares that air pollution exists with varying degrees of severity within Pinal County. Such air pollution is potentially and in some cases actually dangerous to the health of the citizenry, often causes physical discomfort, injury to property and property values, discourages recreational and other uses of the state's resources and is aesthetically unappealing. The Board of Supervisors of Pinal County by this act intends to exercise the police power of the county in a coordinated county-wide program to control present and future sources of emissions of air contaminants to the end that air polluting activities of every type shall be regulated in a manner that insures the health, safety and general welfare of all of the citizens of the county, protects property values and protects the health of plant and animal life. The Board of Supervisors of Pinal County further intends to place primary responsibility for air pollution control and abatement in the Pinal County Air Quality Control District and the Hearing Board created herein.
- B. Those industries emitting pollutants in the excess of the emission standards set by this Code shall bring their operations into conformity with the standards with all due speed. A new industry hereinafter established, which industry is subject to a permit requirement under this Code, shall not begin normal operation until it has secured a permit attesting that its operation will not cause pollution in excess of the standards set by this Code.
- C. No person shall cause, suffer or allow to be discharged either directly or indirectly into the open air, air contaminants from any source whatever, either in quantity of, or of a shade or appearance which is in excess of that specified in this Code, provided that nothing in this Code shall be interpreted to prevent the discharge of uncontaminated aqueous steam into the open air.
- D. Nothing in this Code shall be construed as permitting the preventable degradation of air quality in any area of Pinal County.

[Adopted effective June 29, 1993. Amended February 22, 1995.]

1-1-020. Air Quality Control District

The Pinal County Air Pollution Control District, having been created pursuant to Article 4, Section 401 of the Pinal County Air Pollution Control Ordinance (last amended on June 6, 1969) in accordance with A.R.S. § 49-473.B. (1992) and consisting of an operating division of the Pinal County Department of Development Services, is hereby continued and shall be known as the Pinal County Air Quality Control District.

[Adopted effective June 29, 1993. Amended December 21, 2005.]

1-1-030. Executive head

The Director of the Pinal County Air Quality Control District shall be the air pollution Control Officer and the executive head of the Pinal County Air Quality Control District. He shall perform such duties and exercise such powers as prescribed by law.

[Adopted effective June 29, 1993.]

1-1-040. Investigative authority

In order to conserve and promote the public health, safety, and general welfare within its territorial limits, or any portion thereof, the Board of Supervisors authorizes the Pinal County Air Quality Control District to enforce this Code and to carry out the necessary investigations and inspections to determine the degree to which the atmosphere of the county is contaminated by air pollution and the causes, sources, and extent of such air pollution.

[Adopted effective June 29, 1993.]

1-1-050. Authorization to accept funds or grants

To the extent otherwise allowed by law, the Pinal County Air Quality Control District may accept and expend in accordance with the terms of the grant, any funds granted to it for research of air pollution by the federal government, any political subdivision of the state, any agency or branch of the federal or state governments, or any private agency.

[Adopted effective June 29, 1993.]

1-1-055. Authorization to charge and collect fees

- A. The Board of Supervisors hereby deems each and every fee included in this Code as an essential element in meeting the Board's obligation under A.R.S. §49-480.D. (1992) to recover all reasonable direct and indirect costs of administering permits required under this Code.
- B. As to the other charges set forth in this Code, the Board of Supervisors hereby deems such charges as authorized under A.R.S. §11-251.08.

[Adopted effective November 3, 1993. Amended February 22, 1995.]

1-1-060. Authority to study, cooperate and hold public hearings

The Pinal County Air Quality Control District is authorized to:

- 1. Study the problem of air pollution in the county.
- 2. Study possible effects on adjoining counties.
- 3. Cooperate with the chambers of commerce, industry, agriculture, public officials and all other interested persons or organizations.
- 4. Hold public hearings if in its discretion such action is necessary.

[Adopted effective June 29, 1993.]

1-1-070. Severability clause

Should any chapter, article, section, subsection, subdivision, paragraph, subparagraph or item of this Code be declared unconstitutional or invalid for any reason, the remainder of this Code shall not be affected thereby, with all remaining portions of this Code continuing in full force.

[Adopted effective June 29, 1993.]

1-1-080. Preservation of rights

It is the purpose of this Code to provide additional and cumulative remedies to prevent, abate, and control air pollution in the county. Nothing contained in this Code shall be construed to abridge or alter rights of action or remedies in equity under the common law or statutory law, criminal or civil, nor shall any provisions of this Code, or any act done by virtue thereof, be construed as estopping the state or any municipality, or owners of land from the exercise of their rights in equity or under the common law or statutory law to suppress nuisances or to abate pollution.

[Adopted effective June 29, 1993.]

1-1-090. Copies and effective date

- A. Copies of this Code are available for sale to the public, at a charge not to exceed a reasonable estimate of the actual costs of preparation, reproduction, and publication, in the office of the Pinal County Air Quality District.
- B. This Code shall become effective immediately upon its adoption, replacing its predecessor, the Pinal-Gila Counties Air Quality Control District Amended Rules and Regulations (1987).
- C. Permits issued under this Code shall be effective and enforced according to the provisions of this Code in force at the time the permit was issued.
- D. Those provisions of this Code regarding the issuance, administration and enforcement of permits for new major sources of air pollution or permit revisions for major modifications of existing major sources shall take effect and have the force of law upon a delegation of corresponding authority from ADEQ or the EPA to the District.

[Adopted effective June 29, 1993. Amended Subsection D. effective November 3, 1993.]

1-1-100. Selecting interpretations

Where the nature of a process operation or activity allows regulation under more than one provision of this Code, the most restrictive shall apply.

[Adopted effective June 29, 1993.]

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, 07/23/14, 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), excluding:
 - i. §2-2-090 (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
 - v. §3-1-150 (as amended 5/14/97)

- vi. §3-1-160 (as amended 5/14/97)
 - vii. §3-1-170 (as amended 5/14/97)
 - viii. §3-1-173 (as amended 5/14/97)
 - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
 - c. Article 3. (As amended 10/12/95, 5/27/15).
 - 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. Article 3, limited to:
 - i. §4-3-160 (As amended 10/28/15)
 - ii. §4-3-170 (As amended 10/28/15)
 - iii. §4-3-180 (As amended 10/28/15)
 - iv. §4-3-190 (As amended 10/28/15)
 - 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)
5. Chapter 5
- a. Article 13. (as amended 11/30/16), excluding
 - i. §5-13-390 (as amended 10/12/95)
 - a. Article 20. (as amended 11/30/16)
- 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*
 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*

[Adopted effective June 29, 1993. Amended effective November 3, 1993. Amended August 29, 1994. Amended February 22, 1995. Amended October 12, 1995. Amended June 25, 1997. Amended May 27, 1998 and ratified July 29, 1998. Amended July 29, 1998; any conditional changes prior to 12/20/00 made final by SIP revision at 65 FR 79742 (12/20/00). Revised 7/12/00, with changes effective upon adoption. Revised 12/19/01, with changes effective upon adoption. Amended October 27, 2004. Amended May 18, 2005. Amended June 28, 2006. Amended June 13, 2007. Amended July 23, 2014, amended May 27, 2015, amended August 26, 2015. Amended October 28, 2015. Amended November 30, 2016]

1-1-106. Jurisdictional Statement

The original regulatory jurisdiction of the District is defined by the provisions of A.R.S. § 49-402 (Supp. 1994), and may be supplemented or amended pursuant to other provisions of law, including A.R.S. §§11-952 and 49-107 (Supp. 1994).

[Adopted effective June 29, 1993. Amended February 22, 1995.]

1-1-107. Title V Program Content

Those provisions approved by the EPA are shown in regular type; those provisions or amendments still awaiting EPA approval are shown in *italicized bold*.

1-2-110.	<i>Adopted document(s)</i>	<i>Adopted June 29, 1993. Amended May 14, 1997. Amended May 27, 1998. Amended July 12, 2000.</i>
1-3-130.	Adopted document(s)	Adopted June 29, 1993. Amended November 3, 1993. Amended October 12, 1995. Amended May 14, 1997.
1-3-140.	Definitions	Adopted June 29, 1993. Amended November 3, 1993. Amended February 22, 1995. Amended October 12, 1995. Amended May 14, 1997. Amended May 27, 1998.
2-1-010.	Purpose	Adopted June 29, 1993
2-1-020.	Particulate matter	Adopted June 29, 1993
2-1-030.	Sulfur oxide (sulfur dioxide)	Adopted June 29, 1993
2-1-040.	Ozone	Adopted June 29, 1993
2-1-050.	Carbon monoxide	Adopted June 29, 1993
2-1-060.	Nitrogen oxide	Adopted June 29, 1993
2-1-070.	Lead	Adopted June 29, 1993
2-4-120.	Purpose	Adopted June 29, 1993
2-4-130	Adopted documents(s)	Adopted June 29, 1993 Amended May 14, 1997
2-4-140.	Area classifications in Pinal County	Adopted June 29, 1993 Amended May 14, 1997
2-4-150.	Attainment status in Pinal County	Adopted June 29, 1993

2-5-160.	Ambient air increment ceilings	Adopted June 29, 1993 Amended February 22, 1995 Amended October 12, 1995
2-5-170.	Baseline concentration	Adopted June 29, 1993
2-5-180.	Baseline date	Adopted June 29, 1993 Amended October 12, 1995 Amended May 14, 1997
2-5-190.	Baseline area	Adopted June 29, 1993 Amended February 22, 1995
2-5-200.	Exemptions	Adopted June 29, 1993 Amended February 22, 1995
2-5-210.	Violations of maximum allowable increases	Adopted June 29, 1993
3-1-010.	Purpose	Adopted June 29, 1993 Amended November 3, 1993
3-1-020.	Adopted documents	Adopted June 29, 1993 Amended May 14, 1997
3-1-030.	Definitions	Adopted June 29, 1993 Amended November 3, 1993 Amended August 13, 2003
3-1-040.	Applicability and classes of permits	Adopted November 3, 1993 Amended February 22, 1995 Amended October 12, 1995 Amended May 14, 1997 Amended May 27, 1998 Amended July 12, 2000 Amended May 30, 2001 Amended August 13, 2003

3-1-042.	Operating authority and obligations for a source subject to permit reopening	Adopted February 22, 1995
3-1-050.	Permit application requirements	Adopted November 3, 1993 Amended February 22, 1995 Amended October 12, 1995 Amended May 30, 2001 Amended August 13, 2003
3-1-055.	Completeness determination	Adopted November 3, 1993 Amended May 27, 1998 Amended August 13, 2003
3-1-060.	Permit application review process	Adopted November 3, 1993 Amended February 22, 1995 Amended December 13, 2000 Amended August 13, 2003
3-1-065.	Permit review by the EPA and affected states	Adopted November 3, 1993 Amended August 13, 2003
3-1-070.	Permit application grant or denial	Adopted June 29, 1993 Amended November 3, 1993
3-1-081.	Permit conditions	Adopted November 3, 1993 Amended August 11, 1994 Amended February 22, 1995 Amended May 27, 1998 Amended May 30, 2001 Amended August 13, 2003
3-1-082.	Emission standards and limitations	Adopted November 3, 1993

3-1-083.	Compliance provisions	Adopted November 3, 1993 Amended February 22, 1995 Amended August 13, 2003
3-1-084.	Voluntarily Accepted Federally Enforceable Emissions Limitations; Applicability; Reopening; Effective Date.	Adopted August 11, 1994 Amended February 22, 1995
3-1-087.	Permit reopenings, reissuance and termination	Adopted November 3, 1993
3-1-089.	Permit term, renewal and expiration	Adopted November 3, 1993 Amended February 22, 1995
3-1-090.	Permit transfer	Adopted November 3, 1993
3-1-102.	Permit shields	Adopted November 3, 1993
3-1-103.	Annual emissions inventory questionnaire	Adopted November 3, 1993 Amended February 22, 1995
3-1-105.	Permits containing the terms and conditions of federal delayed compliance orders (DCO) or consent decrees	Adopted November 3, 1993
3-1-107.	Public notice and participation	Adopted November 3, 1993 Amended February 22, 1995
3-1-109.	Material permit condition	Adopted November 3, 1993 Amended February 22, 1995 Amended May 14, 1997 Amended July 12, 2000
3-1-110.	Investigative authority	Adopted June 29, 1993 Amended November 3, 1993

3-1-120.	Confidentiality of records	Adopted June 29, 1993 Amended November 3, 1993
3-1-132.	Permit imposed right of entry	Adopted June 29, 1993
3-1-140.	Permit revocation	Adopted June 29, 1993 Amended November 3, 1993
3-1-150.	Monitoring	Adopted November 3, 1993 Amended May 14, 1997
3-1-160.	Test methods and procedures	Adopted November 3, 1993 Amended May 14, 1997
3-1-170.	Performance tests	Adopted June 19, 1993 Amended November 3, 1993
3-1-173.	Quality assurance	Adopted November 3, 1993 Amended May 14, 1997
3-1-175.	Certification of truth, accuracy and completeness.	Adopted November 3, 1993
3-1-177.	Stack height limitation	Adopted June 29, 1993 Amended November 3, 1993
3-2-180.	Facility changes allowed without permit revisions	Adopted November 3, 1993 Amended August 13, 2003
3-2-185.	Administrative permit amendments	Adopted November 3, 1993 Amended August 13, 2003
3-2-190.	Minor permit revisions	Adopted November 3, 1993 Amended August 13, 2003

3-2-195.	Significant permit revisions	Adopted November 3, 1993 Amended May 27, 1998 Amended July 29, 1998 Amended August 13, 2003
3-3-200.	Purpose	Adopted June 29, 1993 Amended/renumbered November 3, 1993
3-3-203.	Definitions	Adopted November 3, 1993
3-3-205.	Application requirements	Adopted June 29, 1993 Amended/renumbered November 3, 1993
3-3-210.	Application review process	Adopted June 29, 1993 Amended/renumbered November 3, 1993 Amended February 22, 1995
3-3-220.	Permit and permit revision requirements for sources located in nonattainment areas	Adopted June 29, 1993 Amended/renumbered November 3, 1993 Amended August 13, 2003
3-3-230.	Offset and net air quality benefit standards	Adopted June 29, 1993 Amended/renumbered November 3, 1993 Amended February 22, 1995 Amended August 13, 2003
3-3-240.	Special rule for ozone nonattainment areas classified as serious and severe	Adopted June 29, 1993 Amended/renumbered November 3, 1993
3-3-250.	Permit and permit revision requirements for sources located in attainment and unclassifiable areas	Adopted June 29, 1993 Amended/renumbered November 3, 1993 Amended February 22, 1995

3-3-260.	Air quality impact analysis and monitoring requirements	Adopted June 29, 1993 Amended/renumbered November 3, 1993 Amended May 14, 1997
3-3-270.	Innovative control technology	Adopted June 29, 1993 Renumbered November 3, 1993
3-3-275.	Air quality models	Adopted June 29, 1993 Renumbered November 3, 1993
3-3-280.	Visibility protection	Adopted June 29, 1993 Amended/renumbered November 3, 1993
3-3-285.	Special rule for non-operating sources of sulfur dioxide in sulfur dioxide nonattainment areas	Adopted November 3, 1993
3-4-420.	Standards of Conditional Orders	Adopted June 29, 1993 Amended November 3, 1993 Amended May 27, 1998 Amended August 13, 2003
3-4-430.	Petition, publication and public hearing	Adopted June 29, 1993 Amended November 3, 1993
3-4-440.	Decisions, terms and conditions	Adopted June 29, 1993 Amended November 3, 1993
3-4-450.	Term of Conditional Order	Adopted June 29, 1993 Amended November 3, 1993
3-4-460.	Suspension and revocation of Conditional Order	Adopted June 29, 1993
3-5-470.	Applicability	Adopted November 3, 1993 Amended February 22, 1995 Amended May 14, 1997

3-5-480.	General permit administration	Adopted November 3, 1993 Amended February 22, 1995
3-5-490.	Application for coverage under general permit	Adopted November 3, 1993 Amended February 22, 1995 Amended May 27, 1998 Amended May 30, 2001
3-5-500.	Public notice	Adopted November 3, 1993 Amended February 22, 1995
3-5-510.	Term of authorization to operate under a general permit	Adopted November 3, 1993 Amended February 22, 1995
3-5-520.	Relationship to individual permits	Adopted November 3, 1993
3-5-530.	General permit variances	Adopted November 3, 1993 Amended February 22, 1995 Amended May 14, 1997
3-5-540.	General permit shield under an authorization to operate	Adopted November 3, 1993 Amended February 22, 1995
3-5-550.	Revocations of authority to operate under a general permit	Adopted November 3, 1993 Amended February 22, 1995 Amended May 27, 1998 Amended May 30, 2001
3-5-560.	District-issued General Permits - Transition Provision	Adopted February 22, 1995

3-6-565.	Adoption of 40 C.F.R. Part 72 by reference	Adopted November 3, 1993 Amended February 22, 1995 Amended May 27, 1998 Amended July 29, 1998 Amended December 3, 2003
3-7-570.	Purpose	Adopted February 22, 1995
3-7-575.	Fees for sources relying upon §3-1-045 for authority to operate - Transition Provision	Adopted November 3, 1993 Amended February 22, 1995
3-7-576.	Fees for sources subject to permit reopening - Transition provision	Adopted November 3, 1993
3-7-577.	Fees for sources subject to, or deemed subject to, a permit requirement under Title V - Transition provision	Adopted February 22, 1995 Amended June 20, 1996
3-7-580.	Application filing deposit fee for new sources	Adopted November 3, 1993 Amended August 13, 2003
3-7-585.	Annual fee adjustment	Adopted November 3, 1993
3-7-590.	Class I permit fees	Adopted November 3, 1993 Amended February 22, 1995 Amended June 20, 1996 Amended May 14, 1997 Amended August 13, 2003
3-7-591.	Fees for sources operating under a unitary permit on June 20, 1996, which sources are subject to or deemed subject to a permit	Adopted June 20, 1996 Amended August 13, 2003

3-7-595.	Annual reporting of Class I permit fees and costs	Adopted November 3, 1993 Amended August 13, 2003
3-7-610.	General permit fees - Class I sources	Adopted November 3, 1993 Amended February 22, 1995 Amended October 12, 1995 Amended June 20, 1996 Amended May 14, 1997 Amended August 13, 2003
3-7-620.	Annual permit fee payment	Adopted November 3, 1993 Amended February 22, 1995 Amended October 12, 1995 Amended June 20, 1996 Amended August 13, 2003
3-7-625.	Permit fee accounts	Adopted November 3, 1993 Amended August 13, 2003
3-7-630.	Accelerated application processing fee	Adopted November 3, 1993 Amended August 13, 2003
3-7-640.	Review of final bill	Adopted November 3, 1993 Amended July 12, 2000
3-7-650.	Hourly rate and late fee charge	Adopted November 3, 1993 Amended February 22, 1995 Amended August 13, 2003

7-1-010.	General	Adopted November 3, 1993 Amended February 22, 1995 Amended July 12, 2000
7-1-020.	Definitions	Adopted November 3, 1993 Amended February 22, 1995 Amended December 3, 2003
7-1-030.	Performance standards for federally listed hazardous air pollutants	Adopted November 3, 1993 Amended February 22, 1995 Amended October 12, 1995 Amended June 20, 1996 Amended May 14, 1997 Amended May 27, 1998 Amended July 12, 2000 Amended December 13, 2000 Amended December 3, 2003 Amended June 28, 2006
7-1-040.	Control of federally listed hazardous air pollutants	Adopted November 3, 1993 Amended February 22, 1995
7-1-050.	Case-by-case MACT determinations	Adopted November 3, 1993
7-1-060.	Asbestos NESHAP Program Administration and Administration Funding	Adopted February 22, 1995
8-1-010.	Classification and civil penalties	Adopted June 30, 1993 Amended November 3, 1993
8-1-020.	Violation; classification; definition	Adopted November 3, 1993

8-1-030.	Mitigating factors in the event of a violation	Adopted June 29, 1993 Amended (renumbered) November 3, 1993 Amended February 22, 1995
8-1-040.	Production of records	Adopted June 29, 1993 Amended (renumbered) November 3, 1993
8-1-050.	Right of entry and inspection	Adopted June 29, 1993 Amended (renumbered) November 3, 1993
8-1-060.	Special inspection warrant	Adopted November 3, 1993
8-1-070.	Order of abatement	Adopted June 28, 1993 Amended (renumbered) November 3, 1993
8-1-080.	Injunctive relief	Adopted June 29, 1993 Amended (renumbered) November 3, 1993
9-1-070.	Judicial review	Adopted June 29, 1993
9-1-080.	Notice of hearing	Adopted June 29, 1993
Appendix A	Permit Application Form and Filing Instructions	Adopted November 3, 1993 Amended May 14, 1997 Amended July 12, 2000 Amended August 13, 2003

[Adopted June 25, 1997. Amended May 27, 1998 and ratified July 29, 1998. Amended July 29, 1998. Amended July 12, 2000. Amended December 13, 2000. Unconditionally amended May 30, 2001. Amended August 13, 2003. Amended December 3, 2003. Amended October 27, 2004. Amended June 28, 2006.]

ARTICLE 2. INCORPORATED MATERIALS

1-2-110. Adopted document(s)

The following documents are incorporated herein by reference:

1. The Arizona Department of Environmental Quality's "Arizona Testing Manual for Air Pollutant Emissions", amended as of March 1992.
2. All ASTM test methods referenced in this Code are those adopted as of the date specified.
3. All parts of the C.F.R. referenced in this Code, unless otherwise indicated, as amended as of July 1, 2008.

4. The U.S. Government Printing Office's "Standard Industrial Classification Manual, 1987".
5. The following test methods and protocols as adopted by the EPA Administrator, but, unless otherwise specifically designated in a particular provision of this Code, as amended as of July 1, 2008:
 - a. 40 CFR Part 50, Appendices I, J, K, L, N
 - b. 40 CFR Part 51, Appendix M.
 - c. 40 CFR Part 53, all appendixes.
 - d. 40 CFR Part 58, all appendixes.
 - e. 40 CFR Part 60, all appendixes.
 - f. 40 CFR Part 61, all appendixes.
 - g. 40 CFR Part 63, all appendixes.
 - h. 40 CFR Part 75, all appendixes.
6. All sections of the Arizona Administrative Code expressly incorporated elsewhere in this Code, and unless expressly designated otherwise, as amended as of September 30, 2008;
7. The following appendixes to Arizona Administrative Code, Title 18, Chapter 2, as amended as of September 30, 1999:
 - a. Appendix 9 - Monitoring Requirements.
 - b. Appendix 10 - Evaluation of Air Quality Data.

[Adopted effective June 29, 1993. Tentatively revised as indicated on May 14, 1997, and May 27, 1998 and ratified on July 29, 1998, with revisions contingent upon corresponding EPA-approval of a revision to the SIP as EPA-approved at 61 FR 15717 (4/9/96). Revised July 12, 2000, with revisions contingent upon EPA approval of both the aforementioned SIP and revision of the Title V interim approval at 61 FR 55910 (10/30/96). Amended October 27, 2004. Amended December 21, 2005, Amended October 13, 2010]

1-2-120. Adoptions by reference

- A. When parts of the A.A.C. are adopted by reference herein, the following terms shall have the corresponding meanings as shown below:

Term in A.A.C. Rules	Meaning in this Code of Regulations
Director	Control Officer
Department	Pinal County Air Quality Control District
Hearing Board	Pinal County Air Quality Hearing Board

- B. References to the U.S. Code of Federal Regulations refer sequentially to title, Code of Federal Regulations, part, section and paragraph, *e.g.*, 40 C.F.R. §52.01(a) means Title 40, Code of Federal Regulations, Part 52, Section.01 Paragraph (a).
- C. References to the Arizona Revised Statutes refer sequentially to Arizona Revised Statutes, title, section and subsection, *e.g.*, A.R.S. §49-480.F. means Arizona Revised Statutes, Title 49, Section 480, Subsection F.
- D. References to the Arizona Administrative Code refer sequentially to Arizona Administrative Code, title, chapter, article section and subsection *e.g.*, A.A.C. R18-2-216B. means Arizona Administrative Code, Title 18, Chapter 2, Article 2, Section 16, Subsection B.
- E. References to the Federal Register refer sequentially to volume, Federal Register and page number, *e.g.*, 56 F.R. 40978 means Volume 56, Federal Register, page 40978.
- F. Where there is a difference between State, County or federal standards, regulations, rules, codes or statutes applicable to a source, the most stringent shall apply to that source.

- G. To the extent no specific date is identified in conjunction with any adoption by reference within this Code, the version adopted shall be that version in effect on the adoption date of that specific section of this Code.

[Adopted effective June 29, 1993. Amended Subsection F. and added Subsection G. effective November 3, 1993.]

ARTICLE 3. DEFINITIONS

1-3-130. Adopted document(s)

Subject to the additions and modifications in §1-3-140, the definitions set forth in A.A.C. R18-2-101 are hereby adopted by reference and made a part of this Code.

[Adopted effective June 29, 1993. Amended effective November 3, 1993. Amended October 12, 1995. Tentatively revised as indicated on 5/14/97; revisions remain contingent upon corresponding EPA-approval of a revision to the SIP as EPA-approved at 61 FR 15717 (4/9/96).]

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 specifications, 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 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 PM₁₀ 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. Parachlorobenzotrifluoride, 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 (C₄F₉OCH₃)
 - oo. 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OCH₃)
 - pp. 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅)
 - qq. 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OC₂H₅)
 - 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 stench 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. $\text{PM}_{2.5}$ - 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:

<u>Pollutant</u>	<u>Emissions Rate (TPY)</u>
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 ₂ S)	10
Reduced Sulfur Compounds (including H ₂ S)	10
Municipal Waste Combustor Organics (measured as total tetra- through octa-chlorinated dibenzo- <i>p</i> -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 µg/m³/24-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°F (20°C) 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.

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