

CHAPTER 2. AMBIENT AIR QUALITY STANDARDS

ARTICLE 1. AIR QUALITY STANDARDS

2-1-010. Purpose

The purpose of this article is to establish ambient concentrations for specific air pollutants which are necessary to protect human health and public welfare.

[Adopted effective June 29, 1993.]

2-1-020. Particulate matter

- A. The primary ambient air quality standards for particulate matter are:
1. 50 micrograms per cubic meter of PM₁₀ annual arithmetic mean concentration.
 2. 150 micrograms per cubic meter of PM₁₀ 24-hour average concentration.
 3. 15 micrograms per cubic meter of PM_{2.5} 3-year average of the weighted annual mean concentration, in accordance with 40 C.F.R. Part 50, Appendix N.
 4. 65 micrograms per cubic meter of PM_{2.5} 3-year average of the 98th percentile of 24-hour concentrations, in accordance with 40 C.F.R. Part 50, Appendix N.
- B. The secondary ambient air quality standards for particulate matter are:
1. 50 micrograms per cubic meter of PM₁₀ annual arithmetic mean concentration.
 2. 150 micrograms per cubic meter of PM₁₀ 24-hour average concentration.
 3. 15 micrograms per cubic meter of PM_{2.5} 3-year average of the weighted annual mean concentration, in accordance with 40 C.F.R. Part 50, Appendix N.
 4. 65 micrograms per cubic meter of PM_{2.5} 3-year average of the 98th percentile of 24-hour concentrations, in accordance with 40 C.F.R. Part 50, Appendix N.
- C. The primary and secondary annual ambient air quality standards for PM₁₀ shall be considered attained when the expected annual arithmetic mean concentration, as determined in accordance with 40 C.F.R. Part 50, Appendix K, is less than or equal to 50 micrograms per cubic meter.
- D. The primary and secondary 24-hour ambient air quality standards for PM₁₀ shall be considered attained when the expected number of days per calendar year with a 24-hour average concentration above 150 micrograms per cubic meter, as determined in accordance with 40 C.F.R. Part 50, Appendix K, is less than or equal to one.

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

2-1-030. Sulfur oxide (sulfur dioxide)

- A. The primary ambient air quality standards for sulfur oxides, measured as sulfur dioxide, are:
1. 80 micrograms per cubic meter (0.03 ppm) annual arithmetic mean.
 2. 365 micrograms per cubic meter (0.14 ppm) maximum 24-hour concentration not to be exceeded more than once per year.
- B. The secondary ambient air quality standard for sulfur oxides, measured as sulfur dioxide, is 1300 micrograms per cubic meter (0.5 ppm) maximum 3-hour concentration not to be exceeded more than once per year.

[Adopted effective June 29, 1993.]

2-1-040. Ozone

The primary and secondary ambient air quality standards for ozone is 0.08 ppm for an 8-hour average. To attain this standard, the 3-year average of the fourth-high daily maximum 8-hour average ozone concentration must not exceed 0.08 ppm, in accordance with 40 C.F.R. Part 50, Appendix I.

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

2-1-050. Carbon monoxide

- A. The primary ambient air quality standards for carbon monoxide are:
 - 1. 10 milligrams per cubic meter (9 ppm) maximum 8-hour concentration not to be exceeded more than once per year.
 - 2. 40 milligrams per cubic meter (35 ppm) maximum 1-hour concentration not to be exceeded more than once per year.
- B. An 8-hour average shall be considered valid if at least 75 percent of the hourly averages for the 8-hour period are available. In the event that only six or seven hourly averages are available, the 8-hour average shall be computed on the basis of the hours available using six or seven as the divisor.
- C. When summarizing data for comparison with the standards, averages shall be stated to one decimal place. Comparison of the data with the levels of the standards in parts per million shall be made in terms of integers with fractional parts of 0.5 or greater rounding up.

[Adopted effective June 29, 1993.]

2-1-060. Nitrogen dioxide

- A. The primary ambient air quality standard for nitrogen dioxide is 100 micrograms per cubic meter (0.053 ppm) annual arithmetic mean.
- B. The secondary ambient air quality standard for nitrogen dioxide is 100 micrograms per cubic meter (0.053 ppm) annual arithmetic mean.
- C. The standards are attained when the annual arithmetic mean concentration in a calendar year is less than or equal to 0.053 ppm, rounded to three decimal places, with fractional parts equal to or greater than 0.0005 ppm rounded up. To demonstrate attainment, an annual mean shall be based upon hourly data that is at least 75 percent complete or upon data derived from the manual methods, that is at least 75 percent complete for the scheduled sampling days in each calendar quarter.

[Adopted effective June 29, 1993.]

2-1-070. Lead

- A. The primary ambient air quality standard for lead and its compounds, measured as elemental lead, is 1.5 micrograms per cubic meter maximum arithmetic mean averaged over a calendar quarter.
- B. The secondary ambient air quality standard for lead and its compounds, measured as elemental lead, is 1.5 micrograms per cubic meter maximum arithmetic mean averaged over a calendar quarter.

[Adopted effective June 29, 1993.]

ARTICLE 2. AMBIENT AIR QUALITY MONITORING METHODS AND PROCEDURES

2-2-080. Air quality monitoring methods

Only those methods which have been either designated by the Administrator as reference or equivalent methods or approved by the Control Officer shall be used to monitor ambient air.

[Adopted effective June 29, 1993.]

2-2-090. Air quality monitoring procedures

- A. Quality assurance, monitor siting, and sample probe installation procedures shall be in accordance with procedures described in the Appendices to 40 C.F.R. Part 58.
- B. The Control Officer may approve other procedures upon a finding that the proposed procedures are substantially equivalent or superior to procedures in the Appendices to 40 C.F.R. Part 58.

[Adopted effective June 29, 1993. 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).]

ARTICLE 3. INTERPRETATION OF AMBIENT AIR QUALITY STANDARDS AND EVALUATION OF AIR QUALITY DATA

2-3-100. Interpretation of ambient air quality standards

Unless otherwise specified, interpretation of all ambient air quality standards contained in this chapter shall be in accordance with 40 C.F.R. Part 50 (1992).

[Adopted effective June 29, 1993.]

2-3-110. Evaluation of air quality data

The evaluation of air quality data in terms of procedure, methodology, and concept is to be consistent with methods described in Appendix 10 of the A.A.C. Title 18, Chapter 2.

[Adopted effective June 29, 1993. 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).]

ARTICLE 4. ATTAINMENT AREA CLASSIFICATION

2-4-120. Purpose

The purpose of this article is to identify the federal classification status of the various geographic areas lying within the county.

[Adopted effective June 29, 1993.]

2-4-130. Adopted document(s)

A.A.C. R18-2-217, is hereby adopted by reference and made a part of this Code.

[Adopted effective June 29, 1993. 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).]

2-4-140. Area classifications within Pinal County

- A. Pursuant to 40 C.F.R. § 81.403 (1992), that portion of the Superstition Wilderness lying within Pinal County is deemed a mandatory federal Class I area with respect to all criteria pollutants.
- B. For each of the criteria pollutants, each of those areas lying within Pinal County having an Administrator-approved designation as attainment or unclassified, and not otherwise having an area classification pursuant to Subsection A. of this section or reclassified pursuant to the Clean Air Act § 174 (1990) and A.A.C. R18-2-217, are deemed Class II areas pursuant to the Clean Air Act § 162 (1990) and A.A.C. R18-2-217.

[Adopted effective June 29, 1993. 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).]

2-4-150. Attainment status in Pinal County

Acting pursuant to the Clean Air Act § 107 (1990), the Administrator has identified all portions of Pinal County as being in compliance with the national ambient air quality standards for carbon monoxide, ozone and nitrogen dioxide as of November 15, 1990. Those portions of the county that have been designated nonattainment for total suspended particulates, sulfur dioxide and PM₁₀ are identified in 40 C.F.R. § 81.303 (1992).

[Adopted effective June 29, 1993.]

ARTICLE 5. LIMITATION OF POLLUTANTS IN CLASSIFIED ATTAINMENT AREAS

2-5-160. Ambient air increment ceilings

Areas designated as Class I, II or III shall be limited to the following increases in air pollutant concentrations occurring over the baseline concentration, provided that for any period other than an annual period, the applicable maximum allowable increase may be exceeded once per year at any one location:

CLASS I		Maximum Allowable Increase (µg/m ³)
Particulate matter: PM ₁₀		
Annual arithmetic mean		4
24-hour maximum		8
Sulfur dioxide:		
Annual arithmetic mean		2
24-hour maximum		5
3-hour maximum		25
Nitrogen dioxide:		
Annual arithmetic mean		2.5
CLASS II		
Particulate matter: PM ₁₀		
Annual arithmetic mean		17

24-hour maximum	30
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	512
Nitrogen dioxide:	
Annual arithmetic mean	25

CLASS III

Particulate matter: PM ₁₀	
Annual arithmetic mean	34
24-hour maximum	60
Sulfur dioxide:	
Annual arithmetic mean	40
24-hour maximum	182
3-hour maximum	700
Nitrogen dioxide:	
Annual arithmetic mean	50

[Adopted effective June 29, 1993. Amended February 22, 1995. Amended October 12, 1995.]

2-5-170. Baseline concentration

- A. The baseline concentration shall be that ambient concentration level which exists in the baseline area at the time of the applicable minor source baseline date.
1. A baseline concentration shall be determined for each pollutant for which there is a minor source baseline date and shall include both:
 - a. The actual emissions representative of sources in existence on the minor source baseline date, except as provided in Subdivision 2. of this section; and
 - b. The allowable emissions of major sources which commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.
 2. The following shall not be included in the baseline concentration and shall affect the applicable maximum allowable increase:
 - a. Actual emissions from any major source on which construction commenced after the major source baseline date; and
 - b. Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.
- B. The maximum allowable concentration of any air pollutant in any area to which § 2-5-160 applies shall not exceed a concentration for each pollutant equal to the concentration permitted under the ambient air quality standards contained in this chapter.

[Adopted effective June 29, 1993.]

2-5-180. Baseline date

- A. The major source baseline date is:
1. January 6, 1975 for sulfur dioxide and particulate matter; and
 2. February 8, 1988 for nitrogen dioxide.

- B. The minor source baseline date shall be the earliest date after August 7, 1977 for sulfur dioxide and particulate matter, and February 8, 1988 for nitrogen dioxide, that either:
1. A major source or major modification submits a complete permit application to the Administrator under 40 C.F.R. § 52.21 (1992); or
 2. A major source or major modification submits a complete permit application to the ADEQ Director under A.A.C. R18-2-304; or
 3. A major source or major modification submits a complete permit application to the Control Officer under §3-3-250.
- C. The baseline date shall be established for each pollutant for which maximum allowable increases or other equivalent measures have been established if both:
1. The area in which the proposed source or modification would construct is designated as attainment or unclassifiable for the pollutant on the date of its complete application under Subsection B.; and
 2. In the case of a major source, the pollutant would be emitted in significant amounts, or in the case of a major modification, there would be a significant net emissions increase of the pollutant.

[Adopted effective June 29, 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).]

2-5-190. Baseline area

For new major sources and major modifications located in, and which would establish the minor source baseline date in, Pinal County, the baseline area shall be the Central Arizona Intrastate Air Quality Control Region, as designated by the Administrator at 40 CFR §81.271 (7/1/93) and comprising Pinal and Gila Counties, at least insofar as any portion of that region is designated as attainment or unclassifiable for the pollutant for which the minor source baseline date is established. The baseline area shall also extend to any other air quality control region located in Arizona in which such a source establishing a minor source baseline date in Pinal County would have an air quality impact equal to or greater than 1 µg/m³ (annual average) of the pollutant for which the minor source baseline date is established. Redesignations of an air quality control region under §107(d)(3)(D) of the Act, or area attainment status under §107(d)(3)(E) of the Act, cannot intersect or be smaller than the 1 µg/m³ (annual average) area of impact of any new major source or major modification which either:

1. Establishes a minor source baseline date; or
2. Is subject to either 40 C.F.R. § 52.21 or § 3-2-250 and would be constructed in Pinal County.

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

2-5-200. Exemptions

For purposes of determining compliance with the maximum allowable increases in ambient concentrations of an air pollutant, the following concentrations of such pollutant shall not be taken into account:

1. The concentration of such pollutant attributable to the increase in emissions from major and stationary sources which have converted from the use of petroleum products, or natural gas, or both, by reason of a natural gas curtailment order which in effect under the provisions of the Energy Supply and Environmental Coordination Act §§ 2(a) and (b), 15 U.S.C. § 792 (1974), over the emissions from such sources before the effective date of such order;
2. The concentration of such pollutant attributable to the increase in emissions from major and stationary sources which have converted from using gas by reason of a

- natural gas curtailment plan in effect pursuant to the Federal Power Act, 16 U.S.C. §§ 792-825r, over the emissions from such sources before the effective date of the natural gas curtailment plan;
3. Concentrations of PM₁₀ attributable to the increase in emissions from construction or other temporary activities of a new or modified source;
 4. The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and
 5. Concentrations attributable to the temporary increase in emissions of sulfur dioxide, nitrogen oxides or PM₁₀ from major sources when the following conditions are met:
 - a. The Permit to Operate issued to such sources specifies the time period during which the temporary emissions increase of sulfur dioxide, nitrogen oxides or particulate matter would occur. Such time period shall not be renewable and shall not exceed two years unless a longer period is specifically approved by the Control Officer.
 - b. No emissions increase shall be approved which would either:
 - i. Impact any portion of any Class I area or any portion of any other area where an applicable incremental ambient standard is known to be violated in that portion; or
 - ii. Cause or contribute to the violation of a state ambient air quality standard.
 - c. The Permit to Operate issued to such sources specifies that at the end of the time period described in Paragraph a. of this subdivision, the emissions levels from the sources would not exceed the levels occurring before the temporary emissions increase was approved.
 6. The exception granted with respect to increment consumption under Subdivisions 1. and 2. of this section shall not apply more than 5 years after the effective date of the order or natural gas curtailment plan on which the exception is based.

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

2-5-210. Violations of maximum allowable increases

- A. The Control Officer shall review the adequacy of these rules on a periodic basis, and within 60 days of such time as information becomes available that an applicable maximum allowable increase is being violated.
- B. If the Administrator or the Control Officer determines that these rules are substantially inadequate to prevent significant deterioration or that an applicable maximum allowable increase as specified in § 2-5-160 is being violated, these rules shall be revised to correct the inadequacy or violation. These rules shall be revised within 60 days of such a finding by the Control Officer or within 60 days following notification from the Administrator, or by such later date as may be allowed by the Administrator, after consultation with the Control Officer. Any revision effected pursuant to this section shall be followed within 60 days thereafter by a presentation of an application to amend the SIP to reflect such change to these rules.

[Adopted effective June 29, 1993.]

ARTICLE 6. VIOLATIONS

2-6-220. Violations of the national ambient air quality standards

- A. One exceedance per year of the ambient air quality standards prescribed in this chapter of this Code shall be allowed for each pollutant at each monitoring site.
- B. Each additional exceedance at each site shall constitute a separate violation of ambient air quality standards.
- C. The provisions of Subsection A. of this section shall not apply to any of the following:
 - 1. The annual and quarterly standards.
 - 2. The standards for ozone prescribed in § 2-1-040.
 - 3. The primary and secondary 24-hour PM₁₀ standards prescribed in § 2-1-020.

[Adopted effective June 29, 1993.]

ARTICLE 7. AIR POLLUTION EMERGENCY EPISODES

2-7-230. Purpose

The purpose of this article is to establish criteria used to determine air pollution emergency episodes and the appropriate control actions. This article describes control and advisory procedures reached at each of the three episode levels.

[Adopted effective June 29, 1993.]

2-7-240. Episode procedures guidelines

Guidelines for the procedures and communication steps to be followed during an air pollution episode are described in "Procedures for Prevention of Emergency Episodes" (ADEQ, 1988).

[Adopted effective June 29, 1993.]

2-7-250. Definitions

For the purpose of this article, the following definition shall apply:

EMERGENCY EPISODE PLAN - A system designed to reduce the levels of air contaminants which may reach or have reached the level which may be harmful to health, and to protect that portion of the population at risk.

[Adopted effective June 29, 1993.]

2-7-260. Standards

- A. An air pollution alert, warning or emergency shall be declared when the following air pollutant concentrations are exceeded at any monitoring site and when meteorological conditions indicate that there will be a recurrence of those concentrations for the same pollutant(s) during the subsequent 24-hour period:

Episode Level Criteria

Pollutant	Averaging Time	Alert	Warning	Emergency	Significant Harm
Sulfur Dioxide ($\mu\text{g}/\text{m}^3$)	24-hour	800	1,600	2,100	2,620
PM ₁₀ ($\mu\text{g}/\text{m}^3$)	24-hour	350	420	500	600
Ozone ($\mu\text{g}/\text{m}^3$)	1-hour	400	800	1,000	1,200
Nitrogen Dioxide($\mu\text{g}/\text{m}^3$)	1-hour	1,130	2,260	3,000	3,750
	24-hour	282	565	750	938
Carbon Monoxide (mg/m^3)	1-hr	--	--	--	144
	4-hr	--	--	--	86.3
	8-hr	17	34	46	57.5

B. When an air pollution alert, warning or emergency has been declared, one or more of the control actions as applicable to the source emitting the pollutant of concern shall be implemented in the affected area.

1. Control Actions - Air Pollution Alert

- a. All permits to burn shall be suspended until further notice. The forest service shall be notified to postpone slash burning in the affected area.
- b. Incineration shall be limited to the hours of 12:00 P.M. - 4:00 P.M.
- c. Those manufacturing facilities with prearranged emission reduction plans as noted in the "Procedures for Prevention of Emergency Episodes" (ADEQ, 1988) shall be notified to initiate alert stage control actions. Other sources shall be notified to minimize emissions by curtailing or deferring operations not on a required schedule and by maximizing the collection efficiency of control equipment. Emissions from batch operations shall be limited to the hours of 12:00 P.M. - 4:00 P.M.
- d. The public shall be requested to voluntarily eliminate all unnecessary usage of motor vehicles.

2. Control Actions - Air Pollution Warning

- a. Burning of refuse, vegetation, trade wastes, and debris shall not be permitted by any person.
- b. Use of incinerators shall be prohibited.
- c. Those manufacturing facilities with prearranged emission reduction plans as noted in the "Procedures for Prevention of Emergency Episodes" (ADEQ, 1988) shall be notified to initiate warning stage control actions. Other sources shall be notified to initiate a 40 percent or greater reduction in emissions by curtailment or cessation of operations. All processing industries shall be requested to effect a maximum reduction in heat load demands.
- d. If possible, power plant generating loads shall be transferred outside the affected area. Power plant production shall be reduced by purchase of available energy from neighboring utilities.

- e. Highway construction and paving activities shall be halted. All soil removal or grading operations at other construction sites shall be postponed.
 - f. Dust producing crop preparation and cultivation activities shall be postponed. A maximum reduction in agricultural processing and handling operations shall be effected.
 - g. The public shall be requested to voluntarily reduce motor vehicle usage by use of carpools and other means of transportation and elimination of unnecessary operation.
3. Control Actions - Air Pollution Emergency
- a. Those manufacturing facilities with prearranged emission reduction plans as noted in the "Procedures for Prevention of Emergency Episodes" (ADEQ, 1988) shall be notified to initiate emergency stage control actions. Other manufacturing establishments shall cease operations as directed by the Governor.
 - b. As directed by the Governor, all commercial, governmental, and institutional establishments, except those vital for public safety and welfare and enforcement of the emergency episode control actions, shall be closed.
 - c. Generating loads at power plants shall be reduced further, based upon reduced load from industrial and commercial cutbacks.
 - d. All construction shall be halted as directed by the Governor except that which must proceed to avoid emergent physical harm.
 - e. As directed by the Governor, use of motor vehicles shall be prohibited except in emergencies with approval of the local police.

[Adopted effective June 29, 1993.]

2-7-270. Administrative requirements

- A. Once declared, any status reached by application of these criteria shall remain in effect until the criteria for that level are no longer met. At such time, the next lower status will be assumed.
- B. When the conditions justifying the proclamation of an air pollution alert, warning, or emergency are determined to exist in any place in Pinal County, the Control Officer shall be guided by the following criteria and cooperate directly with the ADEQ Director in all pertinent areas of control and surveillance.
 - 1. If the average wind speed for 24 hours is greater than 9.0 miles per hour, the criteria levels for particulates and sulfur dioxide and particulates combined shall not apply and no source control actions shall be taken.
 - 2. If, after an alert or warning episode level has been declared, and air pollution concentrations and meteorological conditions do not deteriorate further, or improve after 48 hours and control actions have been taken, the next higher episode shall be declared and its associated control actions implemented.

[Adopted effective June 29, 1993.]

ARTICLE 8. VISIBILITY LIMITING STANDARD

2-8-280. General

- A. The purpose of this article is to limit the emission of air contaminants into the atmosphere by establishing standards for visible emissions and opacity.
- B. This article applies to visible emissions resulting from the discharge of any air contaminant except as otherwise provided in this article.

[Adopted effective June 29, 1993.]

2-8-290. Definitions

For the purpose of this article, the following definitions shall apply:

- 1. INTERMITTENT SOURCE - Reserved.
- 2. SHUTDOWN - The cessation of operation of any air pollution control equipment or process equipment for any purpose, except routine phasing out of process equipment.
- 3. UNCOMBINED WATER - Condensed water containing no more than analytical trace amounts of other chemical elements or compounds.

[Adopted effective June 29, 1993.]

2-8-300. Performance standards

- A. The provisions of this Article shall only apply to a source that is all of the following:
 - 1. An existing source, which for purposes of this rule means any source that does not have an applicable new source performance standard adopted under Chapter 6 of this Code;
 - 2. A point source. For the purposes of this section, "point source" means a source of air contaminants that has an identifiable plume or emissions point; and
 - 3. A stationary source, which, for purposes of this rule, means any building, structure, facility or installation subject to regulation pursuant to A.R.S. §49-426(A) which emits or may emit any air pollutant. "Building," "structure," "facility," or "installation" means 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" as described in the "Standard Industrial Classification Manual, 1987".
- B. Except as otherwise provided in Chapter 5 of this code relating to opacity standards for specific types of sources, the opacity of any plume or effluent, from a source described in subsection (A), as determined by Reference Method 9 in 40 CFR 60, Appendix A, shall not be:
 - 1. Greater than 20% in an area that is nonattainment or maintenance for any particulate matter standard, unless an alternative opacity limit is approved by the Control Officer and Administrator as provided in subsections (C) and (D), after June 2, 2005;
 - 2. Prior to April 23, 2006 greater than 40% in an area that is attainment or unclassifiable for each particulate matter standard; and

3. On and after April 23, 2006, greater than 20% in any area that is attainment or unclassifiable for each particulate matter standard except as provided in subsections (C) and (D).
- C. A person owning or operating a source may petition the Control Officer for an alternative applicable opacity limit. The petition shall be submitted to the Control Officer by September 15, 2005.
1. The petition shall contain:
 - a. Documentation that the affected facility and any associated air pollution control equipment are incapable of being adjusted or operated to meet the applicable opacity standard. This includes:
 - i. Relevant information on the process operating conditions and the control devices operating conditions during the opacity or stack tests;
 - ii. A detailed statement or report demonstrating that the source investigated all practicable means of reducing opacity and utilized control technology that is reasonably available considering technical and economic feasibility; and
 - iii. An explanation why the source cannot meet the present opacity limit although it is in compliance with the applicable particulate mass emission rule.
 - b. If there is an opacity monitor, any certification and audit reports required by all applicable subparts in 40 CFR 60 and in Appendix B, Performance Specification 1.
 - c. A verification by a responsible official of the source of the truth, accuracy, and completeness of the petition. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
 2. If the unit for which the alternative opacity standard is being applied is subject to a stack test, the petition shall also include:
 - a. Documentation that the source conducted concurrent EPA Reference Method stack testing and visible emissions readings or is utilizing a continuous opacity monitor. The particulate mass emission test results shall clearly demonstrate compliance with the applicable particulate mass emission limitation by being at least 10% below that limit. For multiple units that are normally operated together and whose emissions vent through a single stack, the source shall conduct simultaneous particulate testing of each unit. Each control device shall be in good operating condition and operated consistent with good practices for minimizing emissions.

- b. Evidence that the source conducted the stack tests according to § 3-1-170, and that they were witnessed by the Control Officer or the Control Officer's agent or representative.
 - c. Evidence that the affected facility and any associated air pollution control equipment were operated and maintained to the maximum extent practicable to minimize the opacity of emissions during the stack tests.
 - 3. If the source for which the alternative opacity standard is being applied is located in a nonattainment area, the petitioner shall include all the information listed in subsections C.1 and C.2, and in addition:
 - a. In subsection C.1.a.ii, the detailed statement or report shall demonstrate that the alternative opacity limit fulfills the Clean Air Act requirement for reasonably available control technology; and
 - b. In subsection C.2.b, the stack tests shall be conducted with an opportunity for the Administrator or the Administrator's agent or representative to be present.
 - D. If the Control Officer receives a petition under subsection C the Control Officer shall approve or deny the petition as provided below by February 15, 2006:
 - 1. If the petition is approved under subsection C.1 or C.2, the Control Officer shall include an alternative opacity limit in a proposed significant permit revision for the source under § 3-2-195 and § 3-1-107. The proposed alternative opacity limit shall be set at a value that has been demonstrated during, and not extrapolated from, testing, except that an alternative opacity limit under this section shall not be greater than 40%. For multiple units that are normally operated together and whose emissions vent through a single stack, any new alternative opacity limit shall reflect the opacity level at the common stack exit, and not individual in-duct opacity levels.
 - 2. If the petition is approved under subsection C.3, the Control Officer shall include an alternative opacity limit in a proposed revision to the applicable implementation plan, and submit the proposed revision to EPA for review and approval. The proposed alternative opacity limit shall be set at a value that has been demonstrated during, and not extrapolated from, testing, except that the alternative opacity limit shall not be greater than 40%.
 - 3. If the petition is denied, the source shall either comply with the 20% opacity limit or apply for a significant permit revision to incorporate a compliance schedule under 3-1-083(A)(7)(c)(iii) by April 23, 2006.
 - 4. A source does not have to petition for an alternative opacity limit under subsection C to enter into a revised compliance schedule under 3-1-083 (A)(7)(c).
 - E. The Control Officer, Administrator, source owner or operator, inspector or other interested party shall determine the process weight rate, as used in this section, as follows:

1. For continuous or long run, steady-state process sources, the process weight rate is the total process weight for the entire period of continuous operation, or for a typical portion of that period, divided by the number of hours of the period, or portion of hours of that period.
2. For cyclical or batch process sources, the process weight rate is the total process weight for a period which covers a complete operation or an integral number of cycles, divided by the hours of actual process operation during the period.

[Adopted effective June 29, 1993. Amended May 18, 2005]

2-8-302. Performance Standards – Hayden PM₁₀ Nonattainment Area

- A. Subject to the exemption provided in subsection B, the provisions of this Section shall apply to new and existing sources of fugitive dust within the following a source categories:
 1. Construction;
 2. Roadway building, use and maintenance;
 3. Bulk material handling, storage and transport.
- B. These performance standards shall not apply to any source or source category that the Control Officer and the Administrator both find has been shown to not contribute significantly to PM10 levels in excess of the NAAQS.
- C. This section shall apply within the Hayden planning area PM10 nonattainment area, as defined at 40 CFR §81.303.
- D. The opacity of any plume or effluent, from a source described in subsection (A), shall not be greater than 20%.

[Adopted effective January 7, 2009.]

2-8-310. Exemptions

The provisions of this article shall not apply to:

Emissions where the only reason for the exceedance of the opacity limitation is the presence of uncombined water.

[Adopted effective June 29, 1993.]

2-8-320. Monitoring and records

- A. Opacity observations of visible emissions shall be conducted in accordance with Reference Method 9 in 40 CFR Part 60, Appendix A.
- B. Reserved.

[Adopted effective June 29, 1993. Revised May 14, 1997. Amended July 12, 2000.]

ARTICLE 9. Reserved