



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Henry R. Darwin  
Director

May 25, 2012

Jared Blumenfeld, Regional Administrator  
U.S. Environmental Protection Agency Region IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

SUBJECT: Submittal of Statutes and Appendices for Approval into the Arizona SIP for the 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area

Dear Mr. <sup>Jared</sup> Blumenfeld:

Consistent with the provisions of Arizona Revised Statutes §§49-104, 49-404 and 49-406 and the Code of Federal Regulations Title 40 §§51.102 through 51.104, the Arizona Department of Environmental Quality (ADEQ) hereby adopts and submits to the U.S. Environmental Protection Agency (EPA) one hard copy and one compact disk of those portions of Arizona Revised Statutes, Maricopa County Rules, Maricopa County Ordinance, and Appendices listed in Table 1 below for approval into the Arizona State Implementation Plan for the 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area to meet the requirements of Section 189 (d) of the Clean Air Act. The electronic copy provided on compact disk is an exact duplicate of the hard copy version.

Table 1— Arizona Statutes, Maricopa County Rules, Maricopa County Ordinance, and Appendices for Approval into the Arizona SIP For the 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area		
Arizona Revised Statutes (ARS)	Description	Effective Dates
ARS § 9-500.04 Only A.3., A.5., A.6, A.7, A.8, A.9 and H.	Air Quality Control; Definitions [city and town requirements in Area A regarding targeting unpaved roads and shoulders; leaf blower restrictions; restrictions related to parking, maneuvering, ingress and egress areas and vacant lots; requirements for certified street sweepers]	9/19/07
ARS § 9-500.27	Off-road vehicle ordinances; applicability; violation; classification	9/19/07
ARS §11-871 Only A, B. and D.4.	Emissions control; no burn; exemptions; penalty [no burn restriction for any HPA day, increased civil penalty]	9/19/07
ARS §11-877	Air quality control measures [county leaf blower restrictions]	9/19/07
ARS §28-1098 Only A. and C.1.	Vehicle loads; restrictions; civil penalties [for safety or air pollution prevention purpose]	9/19/07

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<b>Table 1— Arizona Statutes, Maricopa County Rules, Maricopa County Ordinance, and Appendices for Approval into the Arizona SIP</b> <b>For the 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area</b>		
Arizona Revised Statutes (ARS)	Description	Effective Dates
ARS § 49-424 Only 11.	Duties of department [develop and disseminate air quality dust forecasts for Maricopa County PM10 Nonattainment Area	7/20/11
ARS § 49-457.01	Leaf blower use restrictions and training; leaf blower equipment sellers; informational material; outreach; applicability	9/19/07
ARS § 49-457.03	Off-road vehicles; pollution advisory days; applicability; penalties	9/19/07
ARS § 49-457.04	Off-highway vehicle and all terrain vehicle dealers; informational material; outreach; applicability	9/19/07
ARS § 49-457.05 Only A., B., C., D. and I.	Dust Action General Permit; best management practices; applicability; definitions	7/20/11
ARS § 49-474.01 Only A.4., A.5., A.6., A.7., A.8., A.11., B. and H.	Additional County Board of Supervisors duties in vehicle emission control areas; definitions [county requirements for stabilization of targeted unpayed roads, alleys and shoulders; restrictions related to parking, maneuvering, ingress and egress areas and vacant lots; requirement for certified street sweepers]	9/19/07
ARS § 49-474.05	Dust control training; site coordinators	9/19/07
ARS § 49-474.06	Dust control; subcontractor registration	9/19/07
ARS § 49-501 Only A.2., B.1., C., F. and G.	Unlawful open burning; exceptions; civil penalty; definitions [ban on outdoor fires from May 1 to September 30 in Area A; deletion of recreational purpose exemption; no burn day restrictions; penalty provision]	9/19/07
ARS § 49-541 Only 1	Definitions [Area A]	8/9/01
Maricopa County Air Quality Department Rules	Description	Effective Dates
310	Fugitive Dust from Dust-Generating Operations Adopted 1/27/10 and submitted to EPA 4/12/10 [Notice of Final Rulemaking 75 FR 78167; 12/15/10]	EPA approved effective 1/14/11
310.01	Fugitive Dust from Non-Traditional Sources of Fugitive Dust Adopted 1/27/10 and submitted to EPA 4/12/10 [Notice of Final Rulemaking 75 FR 78167; 12/15/10]	EPA approved effective 1/14/11
314	Open Outdoor Fires and Indoor Fireplaces at Commercial and Institutional Establishments Adopted 3/12/08 and submitted to EPA 7/10/08 [Notice of Final Rulemaking 74 FR 57612; 11/9/09]	EPA approved effective 1/8/10
316	Nonmetallic Mineral Processing Adopted 3/12/08 and submitted to EPA 7/10/08 [Notice of Final Rulemaking 74 FR 58553; 11/13/09]	EPA approved effective 1/08/10
Appendix C	Fugitive Dust Test methods Adopted 3/26/08 and submitted to EPA 7/10/08 [Notice of Final Rulemaking 75 FR 78167; 12/15/10]	EPA approved effective 1/14/11

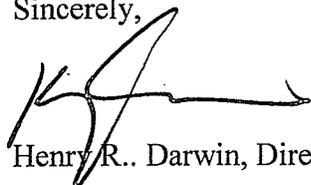
<b>Table 1— Arizona Statutes, Maricopa County Rules, Maricopa County Ordinance, and Appendices for Approval into the Arizona SIP</b> <b>For the 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area</b>		
Maricopa County Ordinance	Description	Effective Dates
P-26	Residential Woodburning Restriction Adopted 3/26/08 and submitted to EPA 7/10/08 [Notice of Final Rulemaking 74 FR 57612; 11/9/09]	EPA approved effective 1/8/10
Appendices	Description	Effective Dates
C Exhibit 1	Arizona Revised Statutes Listed in Table 4-1	See dates above
C Exhibit 2	Maricopa County Resolution to Evaluate Measures in the MAG 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area	11/16/11
C Exhibit 3	Arizona Department of Environmental Quality Dust Action General Permit	12/30/11
C Exhibit 4	Arizona Department of Environmental Quality Commitment to Assess the Effectiveness of the Voluntary and Emerging Control Measure and Revise the MAG 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area if Necessary	Upon SIP submittal
F (unbound)	Certified copies of Arizona Revised Statutes listed above	See dates above

Under a separate transmittal letter, ADEQ is submitting for approval into the Arizona State Implementation Plan the companion *2012 Five Percent Plan for PM-10 for the Pinal County Township 1 North, Range 8 East Nonattainment Area*.

Enclosure 1 contains the plan and the appendices to the plan. Enclosure 2 is the SIP Completeness Checklist.

If you have any questions, please do not hesitate to contact Eric Massey, Director, Air Quality Division, at (602) 771-2288.

Sincerely,



Henry R.. Darwin, Director

Enclosures 1 and 2  
Appendix F (unbound)

- cc: Colleen McKaughan, EPA IX, w/o enclosures  
 Gregory Nudd, EPA IX, w/o enclosures  
 Don Gabrielson, w/o enclosures, Pinal County Air Quality Control District  
 Dennis Smith, w/o enclosures, Maricopa Association of Governments  
 William Wiley, w/o enclosures, Maricopa County Air Quality Control District