

SUBSTANTIVE POLICY STATEMENT

This Substantive Policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

0131.000 DEFINITION OF AMBIENT AIR AND AREAS SUBJECT TO COMPLIANCE WITH AMBIENT AIR QUALITY STANDARDS

Level Two **Air Quality Division**
 Substantive Policy

Originator: Nancy C. Wrona
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Contact for
Information: Gary Neuroth

Issue Date: June 18, 1997

PURPOSE

A clear understanding of the geographic limits of the "ambient air" is necessary for protection of public health and air quality compliance determinations. In practice, compliance with the National Ambient Air Quality Standards (NAAQS) is determined by either measuring air quality (monitoring) or performing computer simulations of air pollutant dispersion (modeling). A policy which defines the geographical extent of ambient air for monitor placement as well as establishing modeling domains for NAAQS compliance is needed for consistent application of air quality regulations throughout the State.

AUTHORITY

The NAAQS contained in Title 18 of the Arizona Administrative Code (AAC) were adopted by ADEQ as Arizona's ambient air quality standards in accordance with statutory authority under 49-424, "Duties of department The department shall: . . . 4. Determine the standards for the quality of the ambient air and the limits of air contaminants necessary to protect the public health . . ."

DEFINITIONS

"Ambient air" is defined in Title 18-2-101.12 of the AAC as follows: " 'Ambient air' means that portion of the atmosphere, external to buildings, to which the general public has access."

POLICY

For purposes of determining compliance with the NAAQS, consideration is limited to measured or modeled concentrations in ambient air that is within fifteen (15) meters of the earth's surface at any point. The specific heights within this layer for each pollutant or specific dispersion model are based on current applicable U.S. Environmental Protection Agency (EPA) regulations and technical guidance documents.

It is recognized that outdoor settings exist where determination

of compliance with the NAAQS based on EPA modeling and monitoring guidance is inappropriate and/or impractical due to safety or operational factors. (For example, consider roadway medians, airport runways, concert/rodeo arenas, sports stadia, prison yards and other "in use" areas to which members of the general public have access.) In certain outdoor workplace environments, specifically-defined portions of locations such as active construction sites and/or outdoor commercial, manufacturing or industrial process areas, the protection of public health relative to air contamination is governed and defined by federal Occupational Health and Safety Administration (OSHA) and/or Industrial Commission of Arizona (ICA) workplace regulations and standards.

Outdoor portions of active process areas of air contaminant sources subject to ADEQ emission control permits, also covered by OSHA and/or ICA air quality regulations, are not considered ambient air for purposes of determining compliance with the NAAQS by ADEQ. But the process area exempted from NAAQS compliance is to include only the immediate vicinity of the currently utilized portions of the property, e.g., quarries, stockpiles, haul roads, work yards and closely-related activity areas. The air over adjacent property, regardless of ownership, is considered "ambient." The determination of a "process area" boundary will be made by technical staff at ADEQ in consultation with the permittee on a case-by-case basis. With the limitations given above, the remaining outdoor atmosphere over Arizona, within ADEQ's jurisdiction, is considered ambient air.

This policy, although previously unwritten, has been in effect at ADEQ and its predecessor organizations since the late 1970's. It has provided a uniform level of public health and environmental protection to the general public, as well as reasonable and consistent requirements for the regulated community. The policy effectively recognizes that ADEQ does not regulate, or in any way control, atmospheric air movement, or access by members of the general public to areas with variable levels of air contamination, land ownership, land use or zoning. Therefore, ADEQ has no basis to exempt any members of the general public from the uniform level of environmental protection provided by the NAAQS. As described above, the policy provides a uniform level of ambient air quality protection within ADEQ's jurisdiction.

RESPONSIBILITY

This policy is applied by the Air Quality Division (AQD) of ADEQ in compliance with federal and state statutes and administrative rules, augmented by EPA technical guidance documents. Specifically, the AQD uses this policy to conduct air quality monitoring and modeling which determines and assures compliance with the NAAQS. When a violation of a NAAQS is monitored or modeled, corrective actions and/or State Implementation Plans are prepared and implemented to achieve compliance with the NAAQS.

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APPROVED BY:

Level Two
Air Quality Division



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7/2/97
Date



Nancy C. Wrona,
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6/25/97
Date



Mark R. Santana,
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6/25/97
Date

The Policy Review Committee has posted, reviewed, and accepted
this policy by motion as of June 18, 1997.



Susan Bentley-Johnston
Recording Secretary

6.23.97
Date