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EPA approves Maricopa County 5 % dust plan

PHOENIX (May 30, 2014) -- The U.S. Environmental Protection Agency (EPA) announced Friday that it has approved the air quality plan that has resulted in Maricopa County achieving compliance with the health based standards for dust, or Particulate Matter 10 microns in diameter or less (PM-10).

This plan, also known as the Maricopa Association of Governments (MAG) 2012 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area. The plan demonstrates dust emissions reductions of at least five percent each year between 2007 and 2012, and was prepared through a collaborative effort by the Arizona Department of Environmental Quality (ADEQ), Maricopa County Air Quality Department (MCAQD), Maricopa Association of Governments (MAG), and numerous stakeholders. The plan was submitted to EPA two years ago, and includes many of the most stringent dust control measures in the country.

On Feb. 6 the EPA originally proposed to approve the plan and published it in the Federal Register with a 30-day public comment period. This is the culmination of that process.

“The aggressive measures set forth in this plan are cutting pollution and will allow residents to breathe easier,” EPA’s Regional Administrator for the Pacific Southwest, Jared Blumenfeld said. “We appreciate the continuing efforts of the ADEQ, Maricopa County Air Quality Department, Maricopa Association of Governments, industry and local businesses to reduce dust in Maricopa County.”

Maricopa County had failed to meet the federal standards for dust since the Clean Air Act was amended in 1970. The first Five Percent Plan for PM-10 was submitted to EPA as required Dec. 31, 2007. On Sept. 9, 2010, EPA published a notice of proposed partial approval and disapproval of the plan in the Federal Register.

On Jan. 25, 2011, ADEQ voluntarily withdrew the first Five Percent Plan from EPA’s review to address the approvability issues and include enhanced information and programs. Despite the withdrawal, the measures continued to be implemented to reduce PM-10.

Along with the measures in the plan, ADEQ, MCAQD and MAG have taken additional actions to reduce concentrations of dust and the threat that dust has to public health by:

- Implementing a dust risk forecast that triggers regulatory requirements to reduce or eliminate emissions of dust before and during high wind or stagnation events.

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- Improving the inventory of dust emissions to more accurately describe the current economy.
- Improving partnerships with industries subject to dust control requirements and providing technical assistance and training manuals to promote compliance with dust control laws.
- Increasing outreach and education efforts with government partners on their role to prevent dust problems.
- Implementing a “Rapid Response” program to provide early notification about poor air quality conditions and asking dust generators to further reduce emissions.
- Improving public access to forecasts through email, text messages and through the County’s CleanAirMakeMore.com smartphone application and website.

Collectively, the MAG Five Percent Plan for now includes more than 53 control measures from the state, Maricopa County and local governments.

“Today’s announcement is 43 years in the making,” Maricopa County Board of Supervisors Chairman Denny Barney said. “It’s been exceptionally difficult, but thanks to our partnerships, the dedication to achieving compliance and increased awareness, we have successfully found a solution that meets federal standards and improves our air quality.”

Critical to the approval of the 5 Percent Plan was EPA’s concurrence with 25 high winds event day demonstrations, spanning the three-year period, 2010–2012. These demonstrations show that additional dust controls in Maricopa County would not have prevented exceedances resulting from regional dust storms that frequently occur during the monsoon season. The Exceptional Event demonstrations were the first in the nation to be approved under EPA’s recently revised policy. Based on these concurrences, EPA has excluded dust storms from consideration under the Clean Air Act and has proposed a finding that Maricopa County has attained the federal standard by the required deadline of Dec. 31, 2012.

“We are very pleased that the EPA is approving MAG’s Five Percent Plan, and that it agreed that Maricopa County achieved the health based standard for dust” said MAG Chair Michael LeVault, mayor of Youngtown. “It is the culmination of years of hard work and collaboration by many stakeholders. The collective efforts have resulted in dramatic improvements in the concentration of dust in the valley, improving the quality of life for all of the county’s residents.”

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Now that the 5 percent plan has been approved, Governor Jan Brewer will request re-designation to attainment.

“The journey is not over. In truth, it never ends,” ADEQ Director Henry Darwin said. “The next step is to begin work on a maintenance plan to ensure that we will continue to benefit from the air quality improvements gained over the past quarter century.”