

RULES AND REGULATIONS
PIMA COUNTY AIR POLLUTION CONTROL DISTRICTS

Rule 2. DEFINITIONS

(Amended Rule December 1974) The words and phrases used in these rules and regulations shall have the following meanings, except where the context otherwise indicates:

- a. Air contaminants - any smoke, vapors, charred paper, dust, soot, grime, carbon, fumes, gases, sulfuric acid mist aerosols, aerosol droplets, odors, particulate matter, windborne matter, radioactive materials, or noxious chemicals, or any other material in the outdoor atmosphere.
- b.s 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 causes 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 Board of Supervisors.
- c.s Approved - approved "by the Control Officer." Any word implying acceptance, reasoning, or judgment shall mean "by the Control Officer."
- d.s Atmosphere - the air that envelopes or surrounds the earth. Where air contaminants are emitted into a building or structure not designed specifically as a piece of air pollution control equipment, such an emission into the building or structure shall not be considered an emission into the atmosphere unless such emission subsequently is released or permitted to escape from the building.
- e.s Board of Supervisors - the Pima County Board of Supervisors.
- f. Cause or permit - to effect by action or participation, or by command, authority, or force; or to allow, make possible, or consent to, either formally or passively.
- g.s Control equipment - any equipment which has the function of controlling the emissions from process, fuel-burnings or other equipment to reduce the creation of, or the emission of, air contaminants into the atmosphere, both.

- h.i Control Officer - the executive head of the Pima County Air Pollution Control District, who shall be the Director of the Pima County Health Department, or his delegated representative.i
- i.i County - Pima County, Arizona.i
- j.i Department - the Pima County Health Department.i
- k.i Discharge - the release, escape or emission of an air contaminant into the atmosphere so as to cause or contribute to air pollution.i
- l.i District - the Pima County Air Pollution Control District, consisting of all area lying within the territorial limits of Pima County.i
- m.i District Ordinance - the Pima County Air Pollution Control District Ordinance.i
- n.i Dusts - minute solid particles released into the air by natural forces or by mechanical processes.
- o.i Dust suppressant - any chemical compound with specific capabilities for dust suppression. Water, under some circumstances, to be used in adequate quantities throughout the term of an operation, process or project may be accepted by the Control Officer as an approved dust suppressant.i
- p.i Effluent - the total volume of gases, liquids and particulate matter emitted from an emission source.i
- q.i Emission - the passing into the atmosphere of an air contaminant or an effluent which contains or may contain an air contaminant; or the air contaminant passes to the atmosphere.i
- r.i Equipment - any machine, equipment, incinerator, device or other article.i
- s.i Fuel-burning equipment - any equipment, device, or contrivance and all appurtenances thereto used primarily but not exclusively, to burn any fuel for the purpose of indirect heating in which the material being heated is not contacted by and adds no substances to the products of combustion.i
- t.i Fugitive dust - solid air-borne particulate matter emitted from any source other than a flue or stack.i
- u.i Hearing Board - the hearing board of the District.i
- v.i Incinerator - any equipment, device or contrivance and all appurtenances thereof used solely for the destruction of combustible solid or gaseous wastes by burning.i
- w.i Mobile equipment - any equipment which is capable of being operated at more than one site location, and which is self-propelled in operation but not required to be registered under Arizona State Uniform Motor Vehicle Act.i
- x.i Motor vehicle - a self-propelled vehicle for use on the public roads and highways of the State of Arizona, and required to be registered under the Arizona State Uniform Motor Vehicle Act.i

- y.e Opacity - the state of a substance which renders it partially or wholly impervious to rays of light and causes obscurity of an observer's view.e
- z.e Open outdoor fire - any combustion of combustible materials of any type outdoors, in the open where the products of combustion are not directed through a flue.e
- aa. Operation - any physical action, resulting in a change in the location, form, or physical properties of a material, or any chemical or mechanical action resulting in a change in the chemical composition or chemical or physical properties of a material.
- bb. Particulate matter - any discrete particles of material, other than uncombined water, which are or have been carried in, suspended in, or discharged into the atmosphere as a liquid or solid, or combination thereof.
- cc.e Permit unit - a unit consisting of an item of equipment which is operated separately or two or more items of equipment which are operated as a functional unit for the processing of material and are physically united by conveyor, chute, duct, pipe or hose for the movement of process material. A permit unit shall be considered as encompassing all the equipment used from the point or points of initial material feed to the point or points of termination where the process flow of material will be or can be interrupted, or to the point or points of discharge where such discharge will be stored, go into another permit unit group, be physically separated from the equipment of the permit unit group, or be discharged into the atmosphere.e
- dd.e Person - any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of the State, the Federal government, or any legal successor, representative, agent or agency of the foregoing.e
- ee. Portable equipment - any equipment which is capable of being operated at more than one site location and which is not self-propelled in operation.
- ff. Process - a continuous operation or treatment (as in manufacture).
- gg. Process weight - the total weight of all materials introduced into a source operation, including solid fuels, but excluding liquids and gases used solely as fuels, and excluding air introduced for purposes of combustion.
- hh. Process weight rate - the total process weight for a representative period of operation divided by the number of hours of that period, excluding any time during which the equipment is idle.
- ii.e Regulations - one of the major groupings of the rules of the District.e
- jj. Ringelmann Chart - a chart for grading the appearance, density, or shade of a stack plume, as published, with instructions for use, by the U. S. Bureau of Mines Information Circular 8333.
- kk. Rule - a rule of the District.
- ll.e Source - any physical arrangement, facility, structure, activity or person that may emit air contaminants.e

- mm. Submerged fill pipe - any fill pipe or nozzle which meets any of the following conditions:
- 1.a The bottom of the fill pipe or nozzle is below the surface of liquid in the receiving vessel for at least 95% of the volume filled.a
 - 2.a The bottom of the fill pipe or nozzle is less than six inches from the bottom of the receiving vessel.a
 - 3.a The bottom of the fill pipe or nozzle is less than two pipe or nozzle diameters from the bottom of the receiving vessel.a
 - 4.a Other conditions acceptable to the Control Officer.a
- nn. Written report - a written report "to the Control Officer." Any report, plan, record, data, or other information implied to be submitted shall mean "to the Control Officer."
- oo. Temporary Burning - any open burning other than agricultural burning for which a permit may be issued in accordance with Regulation II, Rule 8.
- pp. Mining Activity - any activity involving earthmoving operations for the primary purpose of extraction of minerals from the earth such as (but not limited to) sand, gravel, aggregate, limestone, rock or ore.
- qq. Scrap Metal Sweater - a furnace designed to melt metallic scrap for the purpose of recovering metal.
- rr. Paved Parking Lot - any geographical area which has been covered with asphalt or cement type concrete or chemical stabilizing agents in such a way and maintained to such an extent that normal use of the area by any motorized vehicle does not produce visible emission of dust or other particulate matter from the paved surface. (For the purpose of this definition, occasional deposits of wind-blown dust or dust resulting from erosion by rainfall or flooding or sweepings or street cleaning operations onto the surface of the area are to be excluded in the determination of visible emissions from the surface.)
- ss. Unpaved Parking Lot - any geographical area that is regularly used for the parking of vehicles, and which cannot be classified as a paved parking lot according to the definition stated in paragraph rr of this rule.
- tt. Device, Machine, Equipment, or Other Article - any assembly, mechanism, or activity which may cause or contribute to air pollution or which is used primarily to prevent or control the emission of air pollutants.

Rule 3. STANDARD CONDITIONS

Standard conditions are a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated and reported at this gas temperature and pressure.

Rule 19. DECISIONS OF HEARING BOARD: SUBPOENAS; EFFECTIVE DATE

- A.o All decisions of the Hearing Board, including the majority opiniono and all concurring and dissenting opinions, shall be in writingo and shall be of public record.o
- B.o A majority of the total membership of the Hearing Board shall concuro in a decision for it to have effecte
- C. The chairman, or, in his absence, the vice chairman may issue subpoenaso to compel attendance of any person at a hearing and require the productiono of books, records and other documents material to a hearing. Obedienceo to subpoenas may be enforced pursuant to A.R.S. Section 12-2212.o
- D.o Subject to the approval of the Board of Supervisors, the Hearing Boardo may adopt a manual of procedures governing its operation.o
- E.o Decisions of the Hearing Board shall become effective not less thano thirty days after they are issued unless:o
 - 1.o A rehearing is granted which shall have the effect of stayingo the decision.o
 - 2.o It is determined that an emergency exists which justifies ano earlier effective date.o
- F. The Hearing Board may revoke or modify an order of abatement, a permit or a conditional permit only after first holding a hearing within thirty days from the giving of notice of such hearing as provided in Rule 21.

Rule 20. JUDICIAL REVIEW; GROUNDS; PROCEDURES

- A. Judicial review of Hearing Board decisions shall be pursuant to the provisions of Arizona Revised Statutes, Title 12, Chapter 7, Article 6, except as provided in this rule.
- B. Within thirty days after service of notice of a final decision or order of the board, or an order denying a rehearing timely applied for, any person who was a party of record in the proceedings before the board, including the Control Officer or department authorized or designated to enforce air pollution regulations, may appeal therefrom to the Superior Court in the County in which the hearing was conducted and the scope of such review shall be determined pursuant to A.R.S. Section 12-910.
- C. A notice of appeal, designating the grounds therefore, and a demand in writing for a certified transcript of the testimony and exhibits shall be filed with the court and served on the board. After receipt of the demand, accompanied by payment of a fee of the current prevailing rate for transcript, and one dollar for certification thereof, the board shall make and certify the transcript and file it with the Clerk of the Court to which the appeal has been taken within thirty days, unless extended by agreement of the parties or order of the court.
- D. When an appeal is taken from an order or decision of the board, such order or decision shall remain in effect pending final determination of the matter, unless stayed by the court, on a hearing after notice to the board and upon a finding by the court, that there is probable cause for appeal and that great or irreparable damage may result to the petitioner warranting such stay.
- E. An appeal may be taken to the Court of Appeals from the order of the Superior Court as in other civil cases. Proceedings under this section shall be given precedence and brought to trial ahead of other litigation concerning private interests and other matters that do not affect public health and welfare.

Rule 21. NOTICE OF HEARING; PUBLICATION; SERVICE

- A. Any notice of hearing required by the District Ordinance or these rules or regulations shall be given by publication of a notice of hearing for at least two times in a newspaper of general circulation published in Pima County and by posting copies of the petition and notice in at least three conspicuous places in the county.
- B. If the hearing involves any violation of these rules and regulations or a conditional permit therefrom then, in addition to the requirements of Section A of this rule, the Control Officer shall be notified and the person allegedly committing or having committed the violation or requesting the conditional permit shall be served personally or by registered or certified mail at least fifteen days prior to the hearing with a written notice of hearing.

Rule 22. HEARING BOARD FEES

- A. Every petitioner for a hearing for any purpose before the Hearing Board, except a state or local governmental agency or public district, shall pay to the secretary of the Hearing Board, on filing, a fee in the sum of \$35.00.
- B. Any person, except the Control Officer, requesting a transcript of the hearing shall pay the cost of such transcript.

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Reg. II, Rule 2B

3-19-74

1. No owner or operator of any stationary process source shall discharge or cause the discharge of particulate matter into the atmosphere in excess of the hourly rate shown in Table I for the process weight rate identified for such source.

Table I

Process Weight Rate (pounds per hour)	Emission Rate (pounds per hour)
50	0.36
100	0.55
500	1.53
1,000	2.25
5,000	6.34
10,000	9.73
20,000	14.99
60,000	29.60
80,000	31.19
120,000	33.28
160,000	34.85
200,000	36.11
400,000	40.35
1,000,000	46.72

Interpolation of the data in the table for process weight rates up to 60,000 lbs/hr shall be accomplished by use of the equation:

$$E = 3.59 P^{0.620} \quad P \leq 30 \text{ tons/hr}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lbs/hr shall be accomplished by use of the equation:

$$E = 17.31 P^{0.36} \quad P > 30 \text{ tons/hr}$$

Where

E = Emissions in pounds per hour

P = Process weight in tons per hour

2.0 Where the nature of any process or operation or the design of any equipment is such as to permit more than one interpretation of this regulation (Rule 2B), the interpretation that results in the minimum value for allowable emission shall apply.

3.0 For purposes of this regulation (Rule 2B), the total process weight from all similar process units at a plant or premises shall

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30 | 3. For purposes of this regulation (Rule 2B), the total process
31 | weight from all similar process units at a plant or premises shall
32 | be used for determining the maximum allowable emission of
particulate matter.

33 | 4. Rule 2B-1 of this regulation shall not apply to incinerators,
34 | fuel-burning installations, or Portland cement plants having a
35 | process weight rate in excess of 250,000 lbs/hr.

1 5.0 Standard for particulate matter for Portland Cement Plants:0

2 a) No owner or operator of a Portland Cement Plant with a0
3 process weight rate in excess of 250,000 lbs/hr shall discharge
4 or cause the discharge of particulate matter into the atmosphere
5 from the kiln which is:

6 1.0 In excess of 0.30 lb per ton of feed to the kilno
7 (015 Kg. per metric tons), maximum 2-hour average.

8 2.0 Greater than 10 percent opacity, except that where
9 the presence of uncombined water is the only reason for failure
10 to meet the requirements for this subparagraph, such failure shall
11 not be a violation of this section.

12 °b) No owner or operator subject to the provisions of thiso
13 rule (Rule 2B-5) shall discharge or cause the discharge into the
14 atmosphere of particulate matter from the clinker cooler which is:

15 1.0 In excess of 0.10 lb per ton of feed to the kilno
16 (0.050 Kg. per metric ton), maximum 2-hour average.

17 2.0 10 percent opacity or greater.o

18 c) No owner or operator subject to the provisions of thiso
19 rule (Rule 2B-5) shall discharge or cause the discharge into the
20 atmosphere of particulate matter from any affected facility other
21 than the kiln or clinker cooler which is 10 percent opacity or
22 greater.

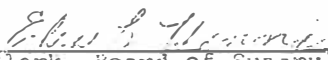
23 6. The test measures and procedures used to determine complianceo
24 with this rule will be in accordance with the procedures specifiedo
25 by the EPA in the Federal Register, May 14, 1973, 38 FR 12704, Section
26 52.126. Equivalent methods and procedures may be used if approved
27 by the Control Officer.o

28 PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF PIMA
29 COUNTY, ARIZONA THIS 19th day of March, 1974.

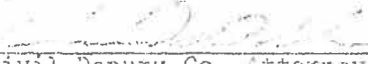
30 APPROVED this 19th day of March, 1974.

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32 Chairman, Board of Supervisors

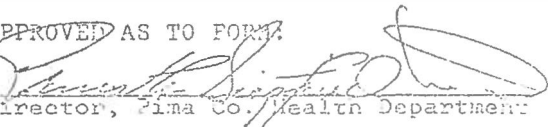
33 ATTEST:

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35 Clerk, Board of Supervisors

36 APPROVED AS TO FORM:

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38 Civil Deputy Co. Attorney

39 APPROVED AS TO FORM:

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41 Director, Pima Co. Health Department

Rule 3. EMISSIONS OF GASES, VAPORS, FUMES, OR ODORS

A.0 No person shall cause or permit any emissions of gases, vapors or fumes into the atmosphere in such manner or quantities as to result or tend to result in air pollution without minimizing such emissions by good modern practices.0

B. No person shall cause or permit any emission of odorous matter in such manner or quantity as to be readily detectable as malodorous at any point along or beyond property lines

1. adjacent to residential, recreational, institutional, educational, retail sales, hotel, or business premises; or

2. adjacent to premises other than those in Subsection 1 above when one volume of air containing such odorous matter is diluted with 20 or more volumes of odor free air;

3. except that the odor of live trees, shrubs, plants or flowers and the odors incidental to domestic gardening shall not be considered malodorous within the meaning of this rule.

C. No person shall cause or permit solvents or other volatile compounds or materials such as but not limited to, paints, acids, alkalies, pesticides, fertilizers or manure to be processed, stored, used, or transported in such a manner or by such means that they will unreasonably evaporate, leak, escape, or be otherwise discharged into the ambient air so as to cause or contribute to air pollution; and where means are available to reduce effectively the contribution of the above to air pollution from evaporation, leakage, or discharge as determined by the Control Officer, such control methods, devices or equipment shall be installed and used.

Rule 5. ORGANIC SOLVENTS

- A. No person shall cause or permit the discharge of more than 3 pounds per hour or 15 pounds per day of organic material from any equipment, including but not limited to surface coating, printing, degreasing or dry cleaning equipment, or other contrivance used for employing or applying any organic solvent other than those accepted by the Control Officer as being photochemically nonreactive without reducing such emissions by at least 85 percent through carbon adsorption, incineration oxidizing to carbon dioxide more than 90 percent of the organic compound, or other acceptable means.
- B.c For the purposes of this rule, organic solvents include diluents and thinners and are defined as organic materials which are liquid at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

Rule 7. EMISSIONS OF CERTAIN SULFUR COMPOUNDS

- A. No person shall cause or permit emissions of sulfur dioxide, and of sulfuric acid and sulfur trioxide, in such manner and amounts as to result in ground-level exposures exceeding those limits shown in the following table in the ambient air at any place beyond the premises on which the source is located:

<u>Concentration of Sulfur Dioxide</u>	<u>Averaging Time</u>
850 ug/m ³	1 Hour
250 ug/m ³	24 Hours
120 ug/m ³	72 Hours

<u>Concentration of Sulfuric Acid and Sulfur Trioxide Expressed as Sulfuric Acid</u>	<u>Averaging Time</u>
15 ug SO ₄ /m ³	24 Hours

- B. No person shall cause or permit the emission of hydrogen sulfide from any premises in such manner and amounts that the concentrations attributable to such emissions in the ambient air at any occupied place beyond the premises on which the source is located exceed a concentration

of 0.03 parts per million by volume for any averaging period of 30 or more minutes on more than two occasions in any 5 consecutive day period, or 0.05 parts per million by volume for any averaging period of 30 or more minutes on more than two times per year.