

May 20, 2005

TO: Members of the Air Quality Technical Advisory Committee

FROM: Stephen S. Cleveland, Goodyear City Manager

SUBJECT: REVISION TO THE MAY 23, 2005 AIR QUALITY TECHNICAL ADVISORY COMMITTEE AGENDA

Agenda Item #6 for the May 23, 2005 Air Quality Technical Advisory Committee agenda is being revised to allow for an update on critical issues with the Maricopa County air programs. Please call Lindy Bauer at the MAG office if you have questions about the agenda item.

6. Critical Issues with the Maricopa County Air Programs

On May 18, 2005, the Environmental Protection Agency (EPA) issued a Notice of Deficiency to Maricopa County for the County's Clean Air Permit Program for industrial sources. The program does not meet the Clean Air Act requirements and is seriously flawed. The EPA notice indicates that if Maricopa County does not take significant action to assure adequate administration and enforcement of the program within 90 days, EPA may enforce a federal permitting program and apply sanctions. The sanctions include the loss of federal highway funds and two-to-one offsets for industrial sources.

In addition, in August 2004, the Maricopa County Board of Supervisors approved \$1 million to hire 19 additional full-time employees to strengthen the enforcement of the Maricopa County Fugitive Dust Control Rules. However, it is our understanding that these positions were

6. Information, discussion, and possible action.

budgeted as contract employees and have been difficult to hire, resulting in many of the positions being unfilled. On May 18, 2005, the Maricopa County Board of Supervisors approved revisions to the fee rule, which will provide a permanent source of funding for the dust control inspectors. It will also provide increased funding for the Title V Permit Program to assist with the resource demonstration to EPA. Fees will become effective July 1, 2005. The Fugitive Dust Control Rules are key measures in the MAG Serious Area Particulate Plan for PM-10. Failure to adequately enforce the rules could jeopardize meeting the federal particulate standards, which could result in a plan requiring further emission reductions which could be difficult to achieve. An update will be provided on these program issues. Please refer to the enclosed material.