



PINAL COUNTY BOARD OF SUPERVISORS
AGENDA FOR WORK SESSION
Wednesday, April 16, 2025

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

-
- (1) Presentation and discussion of the Proposed Pinal County Park Ordinance relating to parking of vehicles on County roadways and County-owned public rights-of-way. (AD24-013) (Christopher Wanamaker/Joe Ortiz)
 - (2) Presentation and discussion of the Pinal County 2025 Five-Year Transportation Improvement and Maintenance Program for Budget Years 2024/2025 through 2028/2029 as recommended by the Pinal County Transportation Advisory Committee on February 18, 2025. (AD24-014) (Tara Harman/Joe Ortiz)
 - (3) Presentation and discussion of proposed rulemaking, resolution to remove the emergency affirmative defense provisions in Chapter 3, Article 1, Section 081 (§ 3-1-081) and the affirmative defense definition in Chapter 8, Article 1, Section 020 (§ 8-1-020) of the Pinal County Air Quality Control District Code of Regulations. Rulemaking action required by the U.S. Environmental Protection Agency (EPA). The provisions in Pinal County Code established an affirmative defense that industry could have asserted in enforcement cases brought for noncompliance with technology-based emission limitations in operating permits, provided that the exceedances occurred due to qualifying emergency circumstances. These provisions, which have never been required elements of state operating permit programs, are being removed because they are inconsistent with the EPA's interpretation of the enforcement structure of the Clean Air Act. In practice, the EPA has found no examples of these defenses being used, and Pinal County Air Quality Control District (PCAQCD) also has no record of them being used in Pinal County. (Rupesh Patel/Anu Jain)

ADJOURNMENT

(SUPPORTING DOCUMENTS ARE AVAILABLE AT THE CLERK OF THE BOARD OF SUPERVISORS' OFFICE AND AT <https://pinal.novusagenda.com/AgendaPublic/>)

NOTE: One or more members of the Board may participate in this meeting by telephonic conference call.

In accordance with the requirement of Title II of the Americans with Disabilities Act (ADA), the Pinal County Board of Supervisors and Pinal County Board of Directors do not discriminate against qualified individuals with disabilities admission to public meetings. If you need accommodation for a meeting, please contact the Clerk of the Board Office at (520) 866-6068, at least (3) three business days prior to the meeting (not including weekends or holidays) so that your request may be accommodated.

Pursuant to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN, that the public will have physical access to the meeting room at 9:15 AM.

Notice of Possible Recess: The Board may take a Recess around 1:00 p.m. for the Volunteer Appreciation Luncheon and the meeting will reconvene around 3:00 p.m.

Meeting Notice of Posting

General Board Meeting Rules of Order



AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #: 64

Dept. #: 311

Dept. Name: Development Services-Public Works

Director: Joe Ortiz

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Presentation and discussion of the Proposed Pinal County Park Ordinance relating to parking of vehicles on County roadways and County-owned public rights-of-way. (AD24-013) (Christopher Wanamaker/Joe Ortiz)

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

There aren't any expected fiscal consideration or impacts to the General Fund associated with this agenda item.

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

There are no expected performance impacts associated with this agenda item.

MOTION:

History		
Time	Who	Approval
4/3/2025 5:15 PM	County Attorney	Yes
4/7/2025 8:37 AM	Budget Office	Yes
4/7/2025 4:32 PM	County Manager	Yes
4/7/2025 4:37 PM	Clerk of the Board	Yes

ATTACHMENTS:

Click to download
<input type="checkbox"/> Presentation
<input type="checkbox"/> Parking Ordinance Timeline
<input type="checkbox"/> ORDINANCE NO 2025-



Pinal County Parking Ordinance

Proposed Regulation of Parking Within the Public Right of Way

Board of Supervisors Work Session

April 16th, 2025



PINAL COUNTY

WIDE OPEN OPPORTUNITY

Introduction/Agenda

- History, Purpose, & Intent
- Ordinance Creation & Stakeholder Feedback
- Overview of Proposed regulations
- Timeline and Next Steps



History , Purpose, & Intent

- Pinal County currently does not have an ordinance to regulate the parking of vehicles within the public right of way
- Pinal County has limited authority to install and enforce “no parking” signage and can only enforce by towing a vehicle.
- Many Homeowner’s Associations have parking regulations for public streets; however, this is changing due to A.R.S. § 33-1818
- Parking complaints have increased; Pinal County needs more tools to address them
- The proposed Ordinance attempts to take a balanced approach to addressing parking needs and safety/access challenges within communities for a safe and effective use of the public right of way.



Creation & Stakeholder Feedback

- Ordinance modeling using reference material from:
 - Pima County
 - Maricopa County
 - City of Phoenix
 - City of Chandler
 - Town of Queen Creek
- Department Review: Input received from PCSO, Attorney's Office, Code Compliance, Development Services
- Stakeholder Input from 5 Homeowner's Association Meetings and 8 members of the public



Overview of Ordinance: Provisions

- Established Authority of the Board to Designated “No Parking” areas
- Authorizes the County Engineer to establish “No Parking” zones on the basis of an engineering study to address traffic safety concerns.
- Creates a process for residents to establish “Residential No-Parking Zones” on their street by submitting a petition.
- Prohibits “Heavy Trucks” from parking within residential zones having more than 2 dwelling units per acre.
- Prohibits Recreational Vehicles (RVs) from parking within residential zones having more than 2 dwelling units per acre for more than 48 consecutive hours
- Prohibits inoperable vehicles from parking on any public road for more than 48 consecutive hours



Overview of Ordinance: Enforcement

- Gives authority to the Pinal County Sheriff's Office and Code Compliance to:
 - Issue a warning
 - Issue a \$250 citation per vehicle
 - Immobilize vehicle with a boot or barnacle
 - Tow a Vehicle
- Enforcement is expected to be complaint driven



Next Steps

04/16/2025 - Board of Supervisors Work Session

05/15/2025 - Distribute Physical Copies to All Justice Courts,
Clerk's Office, etc

05/22/2025 - Publish Notice of Hearing in Newspaper of Record

05/26/2025 - Create Staff Report and Finalize Ordinance

07/02/2025 - Public Hearing and Board of Supervisors Adoption

08/02/2025 - Ordinance Becomes Effective



Parking Ordinance Timeline

Week of March 31st

- ✓ Enter item into Novus (work session)
- ✓ Work session on **April 16th**

Week of May 12th (Deliver on May 15th)

- ✓ Create Notice of Hearing
- ✓ Make 13 copies
 - Attach NOH to appropriate item
- ✓ Distribute to: All Justice Courts, Clerks Office, Development Services front counter, and PW table at front door
- ✓ Post digital copy to cleargov page
- ✓ Work with Kevin to write ordinance

Week of May 19th

- ✓ Send NOH to newspapers (5/22)

Week of June 9th

- ✓ Create staff report & PowerPoint
- ✓ Prepare Novus item

Week of June 16th

- ✓ Submit Novus item

July 2nd (BOS Day)

Delivery List

Justice Courts

JP1 - Pioneer- (San Tan): **3675 E Hunt Highway, San Tan Valley**

JP2 - Casa Grande: **820 E Cottonwood Lane, County Complex, Casa Grande**

JP3 - Central Pinal (Florence/Coolidge/Eloy): **119 W Central Avenue, Coolidge**

JP4 - Western Pinal (Maricopa): **19955 N Wilson Avenue, Maricopa**

JP5 - Copper Corridor (Superior/Oracle): **60 E Main Street, Superior**

JP6 - Apache Junction: **575 N Idaho Road, Apache Junction**

Supervisors' District Offices

District 1: **392 S Main Street, Coolidge**

District 2: **31505 N Schnepf Road, San Tan Valley**

District 3: **820 E Cottonwood Lane, Building A, Casa Grande**

District 4: **135 N Pinal Street, Florence**

District 5: **575 N Idaho Road, Suite 101, Apache Junction**

Clerk of the Board

County Website (IT)

Development Services Front Counter

When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

ORDINANCE NO. 2025-

**AN ORDINANCE OF THE PINAL COUNTY BOARD OF SUPERVISORS
RELATING TO PARKING OF VEHICLES ON COUNTY ROADWAYS AND
COUNTY-OWNED PUBLIC RIGHTS-OF-WAY**

BE IT ORDAINED BY THE PINAL COUNTY BOARD OF SUPERVISORS:

WHEREAS, A.R.S. § 11-251(4) authorizes the Board of Supervisors to layout, maintain, control and manage public roads within the County; and

WHEREAS, A.R.S. § 28-627 allows the County to exercise reasonable police powers to regulate traffic and parking on County Roads; and

WHEREAS, the County Engineer is authorized to evaluate and assess the safety of County streets, roads, highways, and rights-of-way for purposes of making recommendations to the Board of Supervisors on parking restrictions on County rights-of-way; and,

WHEREAS, the Board of Supervisors has determined that public safety requires the implementation of parking restrictions on certain roads within the County based up recommendations from the County Engineer.

NOW, THEREFORE. IT IS ORDAINED AS FOLLOWS:

1. Purpose - The Board of Supervisors or County Engineer, upon finding that parking on certain public streets, roads, and highways within unincorporated areas of the County creates a hazard, public nuisance and/or is a menace to public safety and convenience, may prohibit, regulate, restrict and otherwise provide for public safety and convenience by a system of parking and traffic regulations.
2. Definitions - All words used in this Chapter, shall, where applicable or unless defined herein, have the definition given in A.R.S. § 28-601 and 28-101, as amended.
3. County Engineer Recommendation - The County Engineer is authorized to make an engineering study of the traffic conditions and physical roadway characteristics of the public streets, roads, and highways within the County, except in any incorporated city or town or on any State or Federal Highway, to determine whether a parking restriction is reasonably necessary for the protection and convenience of the traveling public.

- a. Upon finding the basis of an engineering study and generally accepted traffic engineering principles or standards, the County Engineer may recommend to the Board of Supervisors that parking be completely restricted, restricted only during certain hours or times, restricted during certain times of the year, restricted only on one side of the street, or restricted only along certain designated areas adjacent to the street. The Board of Supervisors may approve, reject, or modify the proposed restrictions, and it shall note its action by ordinance or resolution.
 - b. Upon findings based upon an engineering study and generally accepted traffic engineering principles or standards that parking on streets, roads, and highways presents a danger to public safety, the County Engineer may immediately implement the recommended restrictions and present such restrictions or regulations retroactively for approval by the Board of Supervisors within 90 days of implementation.
 - c. The County Engineer is authorized to implement the parking restrictions set forth in Section 4 below on any County road where justified based upon an engineering study and generally accepted traffic engineering principles or standards.
4. Parking Prohibition Criteria - The parking of vehicles is prohibited on any County street, road, or highway, paved or unpaved, where any of the following conditions exist upon recommendation by the County Engineer on the basis of an engineering study and where the road segment has been posted, marked, or designated as such in accordance with Section 5 of this ordinance:
- a. Parking would obstruct a traffic lane;
 - b. Parking would obstruct access to a driveway or roadway;
 - c. Parking would obstruct a bike lane;
 - d. Parking within thirty feet on the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway;
 - e. Parking would block a crosswalk;
 - f. Parking would be within 15ft of a fire hydrant;
 - g. Parking would block access to community mailboxes as required by the United States Postal Service;
 - h. Parking would block a designated fire lane where the curb(s) are painted red;
 - i. Parking on narrow streets that would limit the safe and unfettered ingress/egress of public safety and emergency response vehicles on any public street;
 - j. Parking that creates unsafe conditions that would block sight visibility at or near any intersection or adjacent to any horizontal or vertical curves based on an engineering study performed in accordance with the sight visibility criterion set forth in "A Policy

on Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials (AASHTO)”, or any other condition which would make parking a vehicle unsafe as determined by the County Engineer based on a traffic study.

5. Signage and Pavement Marking – No prohibition of parking on public roads shall be effective unless or until:
 - a. Signs giving notice of the prohibition are posted on the roadway. Unless otherwise noted on the signs themselves, each sign shall designate a “no parking” area that extends 100 feet in each direction (covering a total length of 200 feet) parallel to the roadway or to the next intersecting roadway, whichever is shorter; or
 - b. The roadway is striped or marked designating bike lanes along the roadway’s outside edge which would prohibit parking in accordance with A.R.S. § 28-815(D); or
 - c. Under direction and written request of a fire district or department, the curb is painted red to designate a fire lane for which standing, stopping, or parking is prohibited.
6. Establishment or Removal of Residential No-Parking Zones - The County Engineer may establish or remove a Residential No-Parking Zone and install, or remove, no parking signs on any public street owned and maintained by the County within a residential neighborhood upon written request from a Homeowner’s Association or citizen(s) provided that the following conditions are met:
 - a. A petition with signatures supporting the establishment of a Residential No-Parking Zone from 90% of residents residing on the street segment under consideration is provided to the County Engineer, and,
 - b. Written support from an authorized representative of the Homeowner’s Association (if applicable) is provided to the County Engineer, and,
 - c. A map showing the specific street segment under consideration is provided to the County Engineer, and
 - d. The street segment under consideration is classified as a local or minor collector street, and,
 - e. The street segment under consideration is a continuous section of roadway beginning at a street corner or intersection and ending mid-block or at the next street corner or intersection. Discontinuous street segments that “skip” properties will not be considered.
7. Recreational Vehicles (RV), Heavy Trucks, and Inoperable Vehicles
 - a. Heavy Trucks - It is a violation of this ordinance to park a Heavy Truck on any public road within a residentially zoned area having a density greater than 2 dwelling units per acre. A Heavy Truck is defined as any commercial vehicle with a gross

vehicle weight of 19,500 pounds or more including, but not limited to, trucks, truck tractors, road tractors, trailers, semi-trailers, vehicle transporters, or any combination of such vehicles, attended or otherwise, occupied or unoccupied; including the power unit by itself, the combination of the power unit and trailer, or the trailer separately. A Heavy Truck may temporarily park on dedicated Pinal County right-of-way to perform the following activities, except that upon completion of such activity the vehicle must be promptly removed:

- i. Deliver, pickup, load or unload merchandise, materials, or equipment, including furniture and other household goods; or
 - ii. The Heavy Truck is disabled and is in need of repair, provided the repair is completed within 48 consecutive hours; or
 - iii. Provide construction, repair, or similar services to a property or utility.
 - b. Recreational Vehicles, Buses, Boats, & Trailers - It is a violation of this ordinance to park a Recreational Vehicle (RV), Travel Trailer, bus, boat, or utility trailer on any public road within a residentially zoned area having a density greater than 2 dwelling units per acre for more than 48 consecutive hours. A Recreational Vehicle (RV) or Travel Trailer is defined as a vehicular-type unit, not exceeding eight feet in width nor more than 40 feet in length, primarily designed as temporary living quarters for recreational, camping or travel use. The unit either may have its own motive power or may be mounted on or drawn by another vehicle upon the highway. Under no circumstances shall a person be allowed to inhabit any of the prescribed vehicles while parked on the street.
 - c. Inoperable Vehicles - It is a violation of this ordinance to park an inoperable or unregistered vehicle on any public road for more than 48 consecutive hours.
8. Violations – Any vehicle parked in violation of this Ordinance may be towed away and stored at the vehicle owner’s expense, immobilized with a traffic boot or barnacle, and/or be subject to a civil fine not less than \$250 per vehicle per occurrence per day, as authorized by A.R.S. § 11-251.05.
- a. In any prosecution charging a violation of any provision of this ordinance governing the stopping, standing or parking of a vehicle, the person in whose name such vehicle is registered is prima facie responsible for such violation and subject to the penalty thereof. Furthermore, this section applies to those persons in whose names such vehicle is jointly registered. Such persons are jointly and severally prima facie responsible for such a violation and subject to penalty therefor.
 - b. Any violation of this ordinance shall be a civil traffic violation.
9. Enforcement – The Pinal County Sheriff’s Office and the Pinal County Code Compliance Office are hereby authorized to enforce the provisions of this ordinance and may, at their discretion, issue warnings or otherwise determine what method of enforcement, in accordance with Section 8 above, is appropriate for any given situation.

10. Collection of Fines – Fines collected pursuant to this Ordinance shall be placed in a fund managed by the Pinal County Sheriff’s Office. The funds may be used by the Pinal County Sheriff’s Office or the Public Works Department for traffic safety and traffic law enforcement purposes, which include, but are not limited to: towing fees, traffic signing and pavement markings, public outreach and education, contract traffic enforcement services, traffic calming devices, and other traffic enforcement related expenses.
11. State Provisions - The state traffic laws regulating stopping, standing and parking apply upon all streets, highways and alleys within the County, except in any incorporated city or town. The provisions of this Ordinance are in addition to and shall not be read to conflict with the restrictions in A.R.S. § 28-873 or A.R.S. § 28-815(D).

PASSED AND ADOPTED ON THIS _____ DAY OF _____, 2025, BY THE PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board of Supervisors

ATTEST:

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

Deputy County Attorney



AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #: 295

Dept. #: 311

Dept. Name: Development Services-Public Works

Director: Joe Ortiz

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Presentation and discussion of the Pinal County 2025 Five-Year Transportation Improvement and Maintenance Program for Budget Years 2024/2025 through 2028/2029 as recommended by the Pinal County Transportation Advisory Committee on February 18, 2025. (AD24-014) (Tara Harman/Joe Ortiz)

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

There aren't any expected fiscal considerations or impacts to the General Fund as this program is funding through the Half-Cent Transportation Excise Sales Tax and this is not an action item.

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

There are no expected performance impacts associated with this agenda item.

MOTION:

History	Who	Approval
Time		
4/3/2025 5:01 PM	County Attorney	Yes
4/7/2025 8:37 AM	Budget Office	Yes
4/7/2025 4:30 PM	County Manager	Yes
4/7/2025 4:38 PM	Clerk of the Board	Yes

ATTACHMENTS:

Click to download

☐ [2025 TIMP](#)

☐ [04.16.2025 TIMP](#)



PINAL COUNTY
WIDE OPEN OPPORTUNITY

2025 FIVE-YEAR TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM

2024-2025 THROUGH 2028-2029

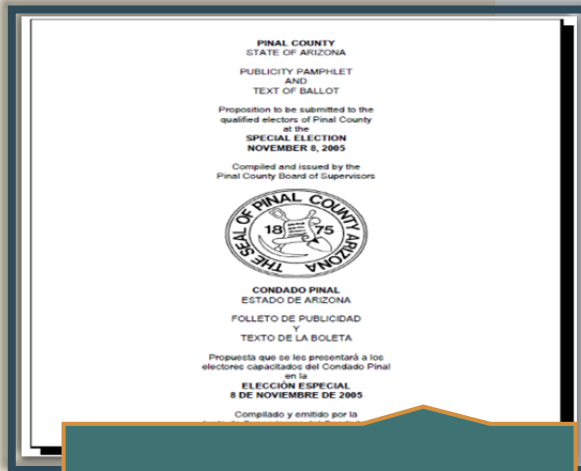
Recommended by the
Transportation Advisory Committee
February 18, 2025

Recommended for Board of Supervisors
Approval
June 18, 2025



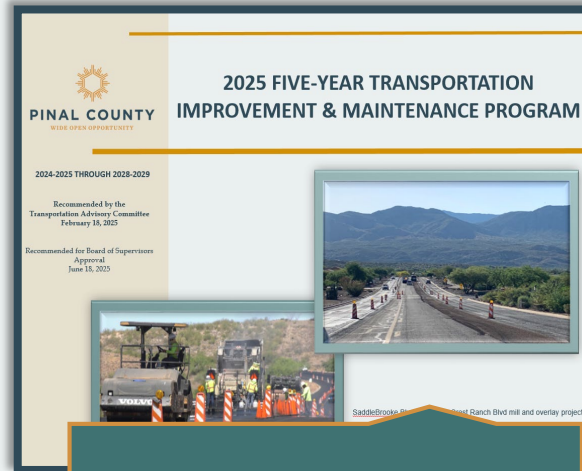
SaddleBrooke Blvd and Eagle Crest Ranch Blvd mill and overlay project

TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM



The Funding

- Pinal County's Maintenance Fund
- Reauthorized by voters in 2005
- Sunsets Dec. 31, 2026
- Continued by voters in 2024



The Plan

- Pinal County's 5-Year Transportation Program
- 2025 update for Budget Years: 2024-2025 through 2028-2029

Page 20



The Committee

- Transportation Advisory Committee
- Board appointed panel charged with updating & recommending the plan

Continuation of Program Funding

November 4, 1986

Prop 400

Approved 52.1%

Sunrise Jan. 1987

Sunset Dec. 2006

November 8, 2005

Prop 400

Reauthorization

Approved 73.7%

Sunrise Jan. 2007

Sunset Dec. 2026

November 5, 2024

Prop 486

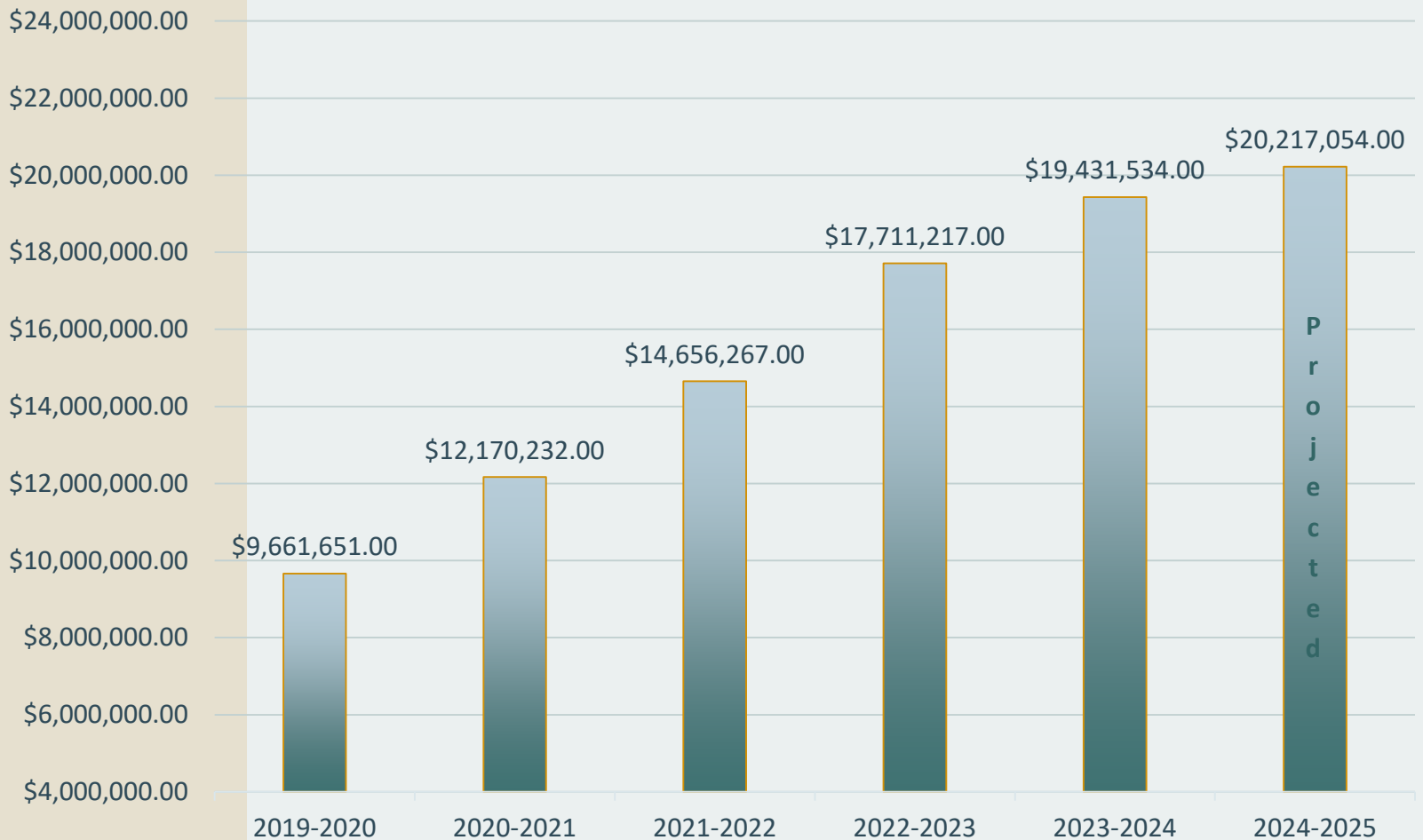
Continuation

Approved 77%

Sunrise Jan. 2027

Sunset Dec. 2046

Program Funding



Program Priorities



Roadway Maintenance

Maintain the paved roads within Pinal County



Paved Mileage

Increase paved mileage with a greater emphasis on air quality and regionally significant routes



Traffic Flow

Reduce congestion on the arterial transportation network



Economic Development

Develop roadways that support economic development zones

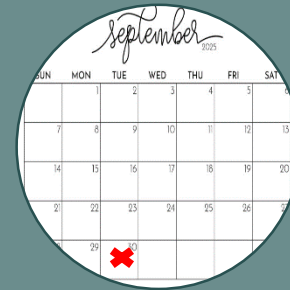
New Projects



Requests are
accepted year-round



Requests must be
submitted on a
Project Request
Form via mail, email
or online submittal

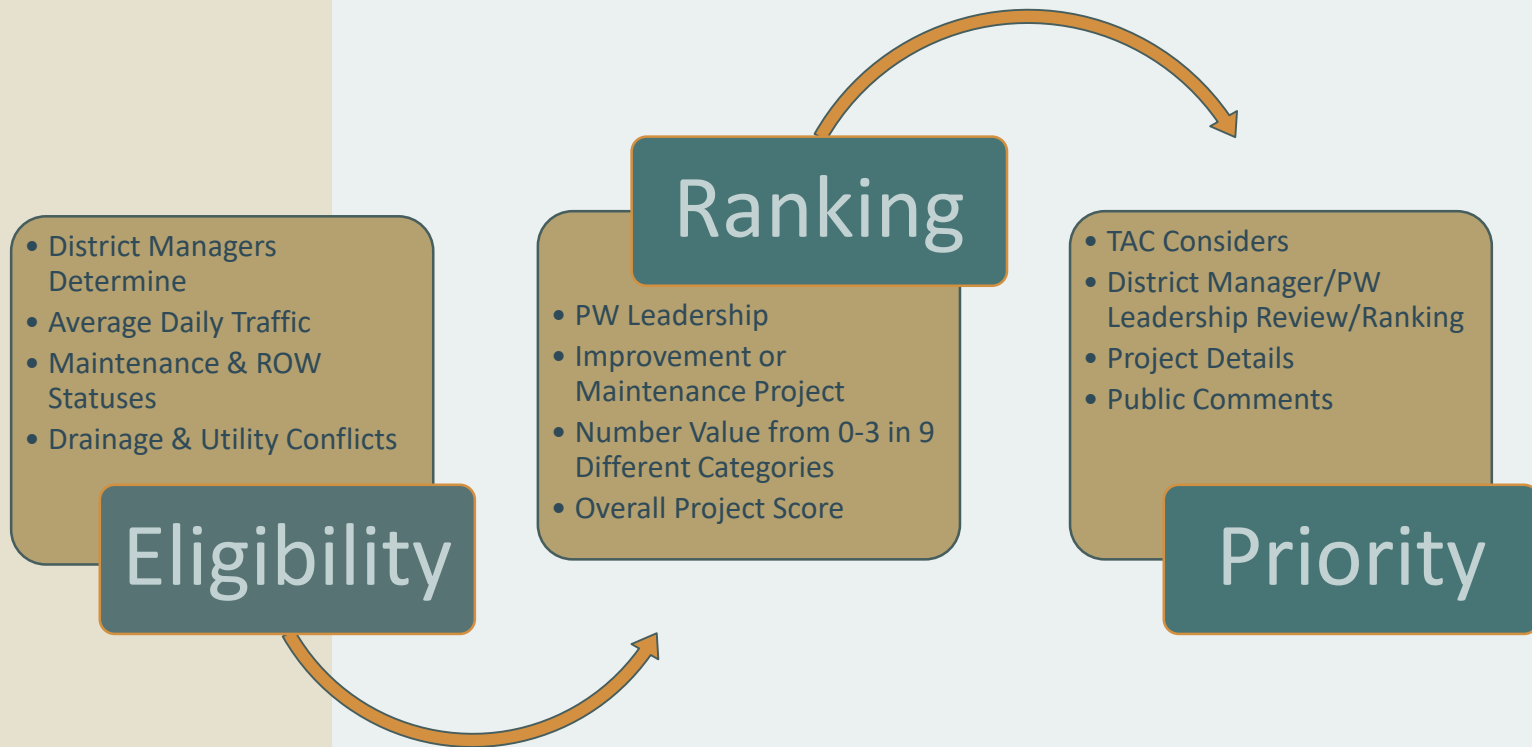


The annual request
cut-off date is
September 30th





New Project Evaluations



2025 Five-Year Plan

BY 2028-2029 Projects

30 Total Projects

• \$16,344,000

28 New Projects

• \$6,844,000

2 Static Projects

• \$9,500,000

2025 Five-Year Plan Amendments

28

Administrative
changes in
Project
Scheduling, Cost
or Activity

44

Programmed,
Pending,
Underway,
Completed or
Combined

13

Carryovers,
Advancements
or Added
Projects

2025 Five-Year Plan

Budget Year
2024-2025

Budget Year
2025-2026

Budget Year
2026-2027

Budget Year
2027-2028

Budget Year
2028-2029

23 Projects
\$21.2 million

Maintenance
\$11.2 million

Improvement/
Other
\$10 million

30 Projects
\$35 million

Maintenance
\$9.6 million

Improvement/
Other
\$25.4 million

16 Projects
\$16.3 million

Maintenance
\$8.5 million

Improvement/
Other
\$7.8 million

23 Projects
\$13.8 million

Maintenance
\$9.9 million

Improvement/
Other
\$3.9 million

30 Projects
\$16.3 million

Maintenance
\$12.2 million

Improvement/
Other
\$4.1 million

Plan Approval

Work Session with
the Board of
Supervisors:
April 16, 2025

30-Day Public
Comment Period:
April 21, 2025 –
May 20, 2025

Request Action by
the Board of
Supervisors:
June 18, 2025



Transportation Advisory Committee

District 1

- Robin Davis

District 2

- Shelby Moody
- Todd Williams

District 3

- Kevin Louis
- Rusty Riggs

District 4

- Steve Johnson
- David Garcia
- Mark Seidel

District 5

- Maxine Brown
- Lisa Bradford

10 members, 2
appointed from each
Supervisory District

Legal age & a resident of
the County or employed
by a municipality within
Pinal County

Members are appointed
to serve a four year term

Committee Meeting Schedule



Sept. 16, 2025

- Orientation and Training
- Project Status Reports



Nov. 18, 2025

- Project Requests Reviews
- Project Discussion



Feb. 17, 2026

- Plan Recommendation
- Officer Elections



Program & Committee Resources

Project Request Form

Transportation Advisory Committee

2023 Proposed TIMP Plan

Works | Programs/Events | Transportation Improvement & Maintenance Program

TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM

MAKE A COUNTY ROADWAY REQUEST THROUGH THE TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM

The Transportation Improvement and Maintenance Program (TIMP) is Pinal County's five-year transportation plan that identifies potential funding and establishes a tentative schedule for planning, construction, and major maintenance projects. You are encouraged to submit a transportation project request. The request will be evaluated and considered for inclusion in the TIMP.

Transportation Project Request

A request can be submitted online. Once a request is submitted it is forwarded to a Public Works area engineer to determine eligibility for the Transportation Improvement and Maintenance Program (TIMP). The area engineer researches the average daily traffic, right-of-way, maintenance status, utility conflicts, and drainage issues of the proposed project. If eligible, the proposed project is further evaluated to determine how it addresses such criteria as minimizing safety risk, reducing fugitive dust or aligning with the regional transportation plan. Eligible and evaluated projects are generally added to the fifth year of the transportation plan. [Make a transportation project request.](#)

Transportation Advisory Committee

Once a request has been added to the Transportation Improvement and Maintenance Program (TIMP), the transportation plan is submitted to the [Transportation Advisory Committee \(TAC\)](#) for prioritization. Public Works staff finalizes the draft TIMP based on the overall priority of the TAC. The TAC is the recommending body to the Pinal County Board of Supervisors on transportation planning, construction, and maintenance projects within the county's jurisdictional boundaries. The TAC annually reviews, updates, and recommends a fiscally constrained, five-year transportation plan.

TAC Meetings

The Transportation Advisory Committee (TAC) consists of ten qualified electors of Pinal County, two members from each of Pinal County's five supervisory districts, to serve a four-year term. TAC meetings are held each September, November, and February. Meetings begin at 2:30 pm and are located in the Pinal County Administrative Complex (1891 Historic Courthouse), Ironwood Room Number 101, 135 Pinal Street, Florence, AZ 85132. All notices and agendas are posted in compliance with Arizona's Open Meeting

Tara Harman
Senior Transportation Planner
Email: Tara.Harman@pinalcountyyaz.gov
Phone: (520) 866-5928



www.pinalcountyyaz.gov/PublicWorks
PCTAC@pinalcountyyaz.gov

- Submit Transportation Project Request
- TAC Meeting Agendas and Minutes
- View the Current Five-Year Plan
- View Project Status Reports
- Information on the Plan and Program
- Information on the Transportation Advisory Committee



PINAL COUNTY
WIDE OPEN OPPORTUNITY

2025 FIVE-YEAR TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM

2024-2025 THROUGH 2028-2029

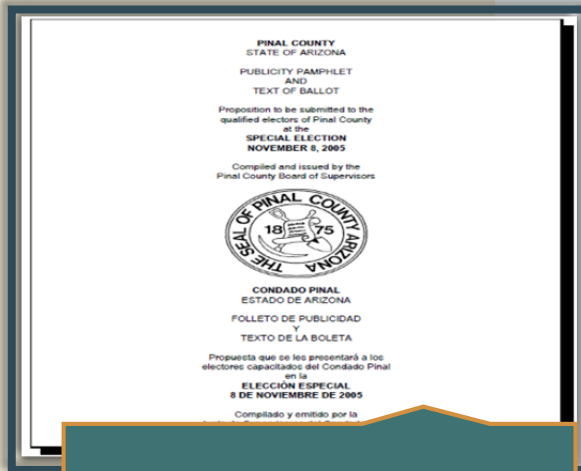
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February 18, 2025

Recommended for Board of Supervisors
Approval
June 18, 2025



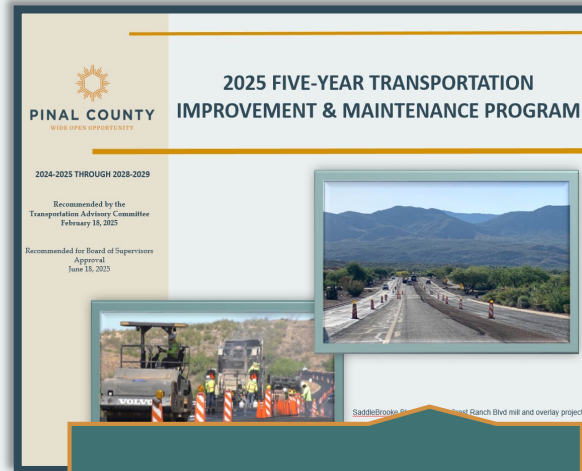
SaddleBrooke Blvd and Eagle Crest Ranch Blvd mill and overlay project

TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM



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Continuation

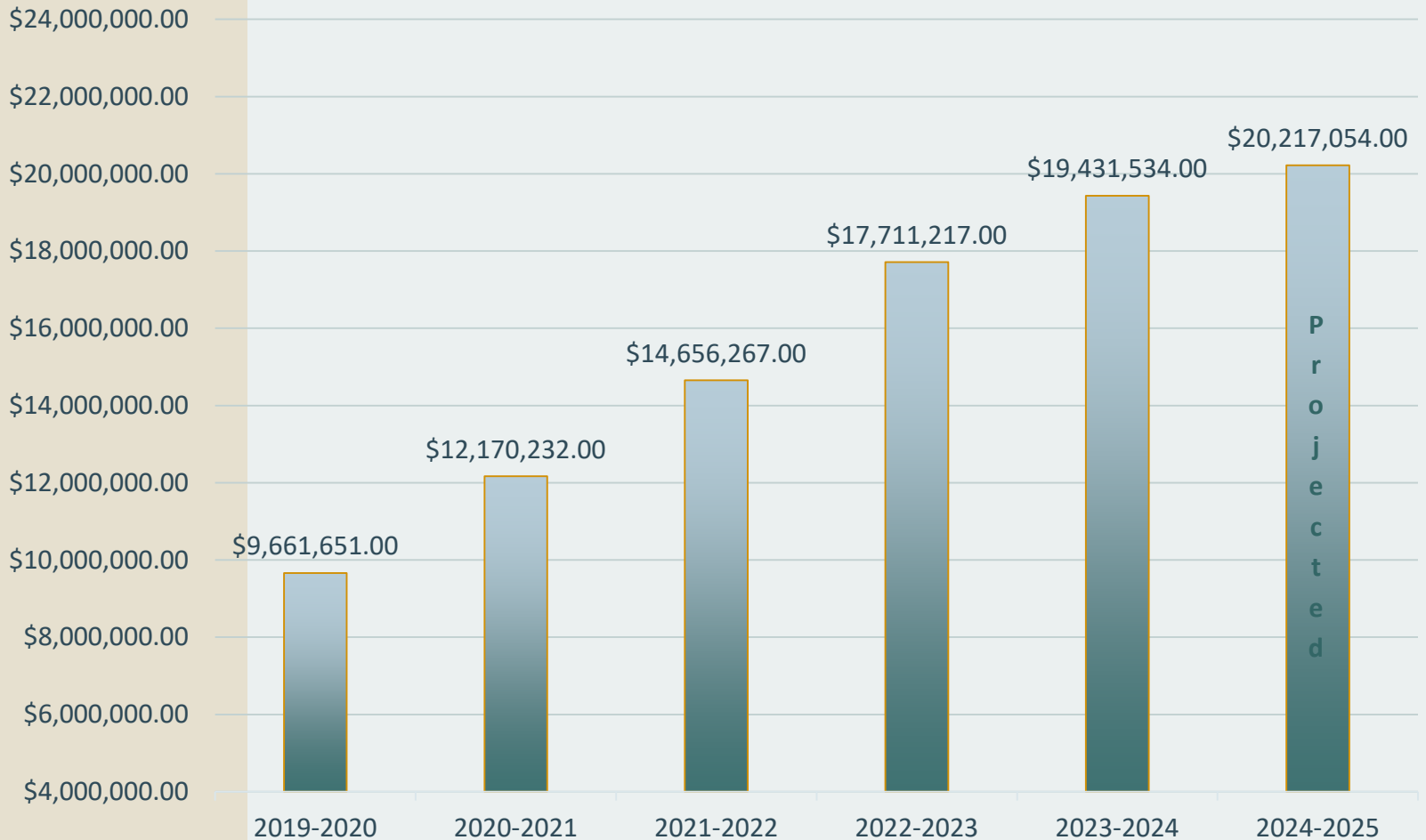
Approved 77%

Sunrise Jan. 2027

Sunset Dec. 2046



Program Funding





Program Priorities



Roadway Maintenance

Maintain the paved roads within Pinal County



Paved Mileage

Increase paved mileage with a greater emphasis on air quality and regionally significant routes



Traffic Flow

Reduce congestion on the arterial transportation network



Economic Development

Develop roadways that support economic development zones

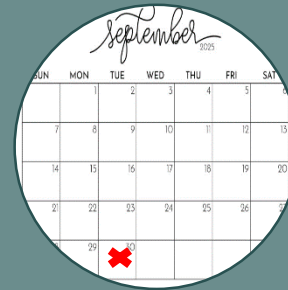
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accepted year-round



Requests must be
submitted on a
Project Request
Form via mail, email
or online submittal

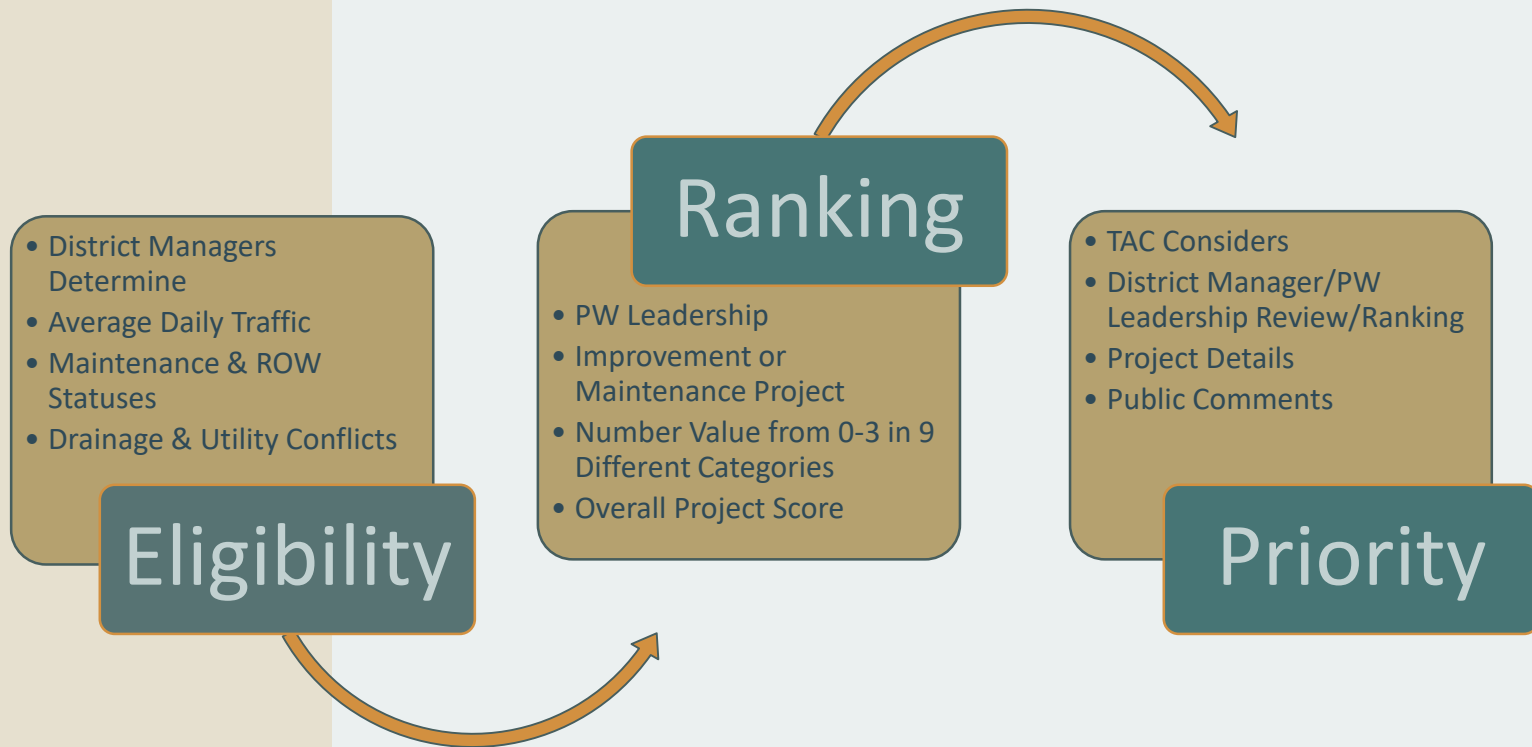


The annual request
cut-off date is
September 30th





New Project Evaluations



2025 Five-Year Plan

BY 2028-2029 Projects

30 Total Projects

• \$16,344,000

28 New Projects

• \$6,844,000

2 Static Projects

• \$9,500,000

2025 Five-Year Plan Amendments

28

Administrative
changes in
Project
Scheduling, Cost
or Activity

44

Programmed,
Pending,
Underway,
Completed or
Combined

13

Carryovers,
Advancements
or Added
Projects

2025 Five-Year Plan

Budget Year
2024-2025

Budget Year
2025-2026

Budget Year
2026-2027

Budget Year
2027-2028

Budget Year
2028-2029

23 Projects
\$21.2 million

Maintenance
\$11.2 million

Improvement/
Other
\$10 million

30 Projects
\$35 million

Maintenance
\$9.6 million

Improvement/
Other
\$25.4 million

16 Projects
\$16.3 million

Maintenance
\$8.5 million

Improvement/
Other
\$7.8 million

23 Projects
\$13.8 million

Maintenance
\$9.9 million

Improvement/
Other
\$3.9 million

30 Projects
\$16.3 million

Maintenance
\$12.2 million

Improvement/
Other
\$4.1 million

Plan Approval

Work Session with
the Board of
Supervisors:
April 16, 2025

30-Day Public
Comment Period:
April 21, 2025 –
May 20, 2025

Request Action by
the Board of
Supervisors:
June 18, 2025



Transportation Advisory Committee

District 1

- Robin Davis

District 2

- Shelby Moody
- Todd Williams

District 3

- Kevin Louis
- Rusty Riggs

District 4

- Steve Johnson
- David Garcia
- Mark Seidel

District 5

- Maxine Brown
- Lisa Bradford

10 members, 2
appointed from each
Supervisory District

Legal age & a resident of
the County or employed
by a municipality within
Pinal County

Members are appointed
to serve a four year term

Committee Meeting Schedule



Sept. 16, 2025

- Orientation and Training
- Project Status Reports



Nov. 18, 2025

- Project Requests Reviews
- Project Discussion



Feb. 17, 2026

- Plan Recommendation
- Officer Elections



Program & Committee Resources

Project Request Form

Transportation Advisory Committee

2023 Proposed TIMP Plan

Works | Programs/Events | Transportation Improvement & Maintenance Program

TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM

MAKE A COUNTY ROADWAY REQUEST THROUGH THE TRANSPORTATION IMPROVEMENT & MAINTENANCE PROGRAM

The Transportation Improvement and Maintenance Program (TIMP) is Pinal County's five-year transportation plan that identifies potential funding and establishes a tentative schedule for planning, construction, and major maintenance projects. You are encouraged to submit a transportation project request. The request will be evaluated and considered for inclusion in the TIMP.

Transportation Project Request

A request can be submitted online. Once a request is submitted it is forwarded to a Public Works area engineer to determine eligibility for the Transportation Improvement and Maintenance Program (TIMP). The area engineer researches the average daily traffic, right-of-way, maintenance status, utility conflicts, and drainage issues of the proposed project. If eligible, the proposed project is further evaluated to determine how it addresses such criteria as minimizing safety risk, reducing fugitive dust or aligning with the regional transportation plan. Eligible and evaluated projects are generally added to the fifth year of the transportation plan. [Make a transportation project request.](#)

Transportation Advisory Committee

Once a request has been added to the Transportation Improvement and Maintenance Program (TIMP), the transportation plan is submitted to the [Transportation Advisory Committee \(TAC\)](#) for prioritization. Public Works staff finalizes the draft TIMP based on the overall priority of the TAC. The TAC is the recommending body to the Pinal County Board of Supervisors on transportation planning, construction, and maintenance projects within the county's jurisdictional boundaries. The TAC annually reviews, updates, and recommends a fiscally constrained, five-year transportation plan.

TAC Meetings

The Transportation Advisory Committee (TAC) consists of ten qualified electors of Pinal County, two members from each of Pinal County's five supervisory districts, to serve a four-year term. TAC meetings are held each September, November, and February. Meetings begin at 2:30 pm and are located in the Pinal County Administrative Complex (1891 Historic Courthouse), Ironwood Room Number 101, 135 Pinal Street, Florence, AZ 85132. All notices and agendas are posted in compliance with Arizona's Open Meeting



Tara Harman
Senior Transportation Planner
[Email: Tara.Harman@pinalcountyz.gov](mailto:Tara.Harman@pinalcountyz.gov)
Phone: (520) 866-5928

www.pinalcountyz.gov/PublicWorks
PCTAC@pinalcountyz.gov

- Submit Transportation Project Request
- TAC Meeting Agendas and Minutes
- View the Current Five-Year Plan
- View Project Status Reports
- Information on the Plan and Program
- Information on the Transportation Advisory Committee

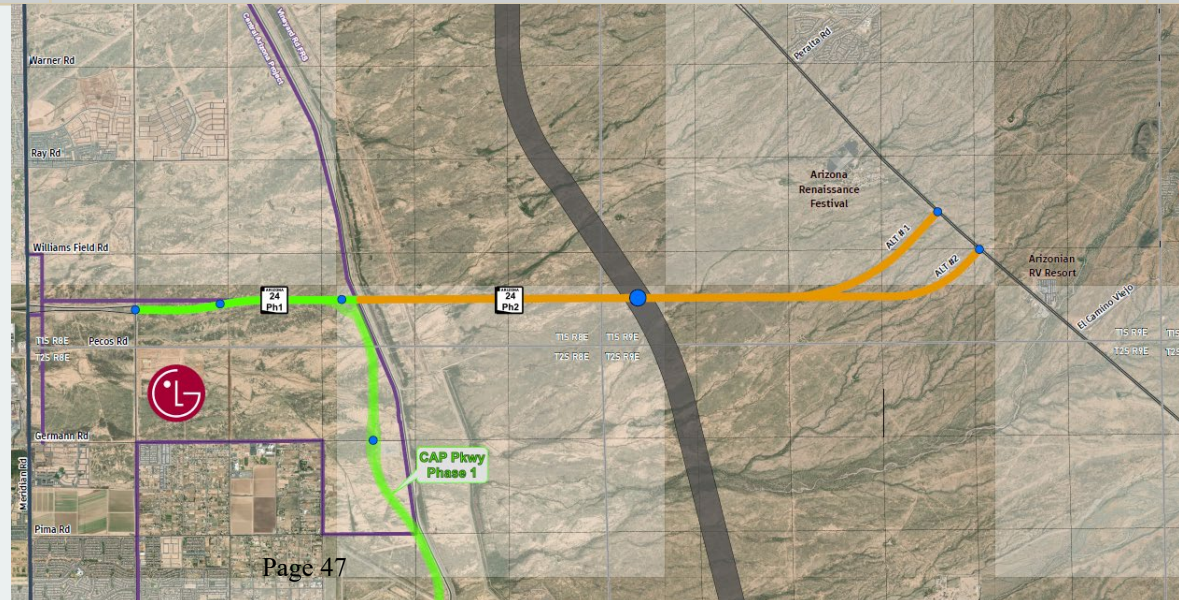
STATE ROUTE 24

Highway User Revenue Planned/Programmed Funding

Current County Investment Total - \$2.1M (since FY22/23)

SR24 from Ironwood to US60 – Estimated Total Costs \$355M

Project	Activity	Non-County Cost	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29
State Route 24/Central Arizona Parkway	Design & Construction	\$15,000,000 (State Appros FY23/24)	\$16,100,000	\$4,000,000	\$5,000,000	\$5,000,000	\$5,000,000





AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #: 86

Dept. #: 3140180

Dept. Name: Air Quality

Director: Anu Jain

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Presentation and discussion of proposed rulemaking, resolution to remove the emergency affirmative defense provisions in Chapter 3, Article 1, Section 081 (§ 3-1-081) and the affirmative defense definition in Chapter 8, Article 1, Section 020 (§ 8-1-020) of the Pinal County Air Quality Control District Code of Regulations. Rulemaking action required by the U.S. Environmental Protection Agency (EPA). The provisions in Pinal County Code established an affirmative defense that industry could have asserted in enforcement cases brought for noncompliance with technology-based emission limitations in operating permits, provided that the exceedances occurred due to qualifying emergency circumstances. These provisions, which have never been required elements of state operating permit programs, are being removed because they are inconsistent with the EPA's interpretation of the enforcement structure of the Clean Air Act. In practice, the EPA has found no examples of these defenses being used, and Pinal County Air Quality Control District (PCAQCD) also has no record of them being used in Pinal County. (Rupesh Patel/Anu Jain)

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

N/A

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

N/A

MOTION:

History	Who	Approval
Time		
4/3/2025 12:59 PM	County Attorney	Yes
4/7/2025 4:29 PM	County Manager	Yes
4/7/2025 4:38 PM	Clerk of the Board	Yes

ATTACHMENTS:

Click to download

☐ [Notice of Rulemaking](#)

☐ [Presentation](#)

☐ [2025 04.16 Presentation Final](#)



PINAL COUNTY

Pinal County Air Quality Control District

Removal Affirmative Defenses

Pursuant to A.R.S. §§49-112 and 49-471.01 et. Seq.

Combined Notice of Proposed Rulemaking

And

Notice of Oral Proceeding

Pursuant to A.R.S. §49-479 and where applicable,

The requirements of 40 C.F.R. §51-102

And

Notice of Board of Supervisors Public Hearing

Pinal County Air Quality Control

Published online at

<https://www.pinal.gov/403/Rulemaking>

On March 27, 2025

Start of Public Comment Period: March 27, 2025

End of Public Comment Period: April 28, 2025

I. PREAMBLE

1. Statutory authority for the rulemaking (per A.R.S. § 49-471.05.(1))

A.R.S §§ 49-474, 49-479, 49-480

2. Name and address of department personnel with whom persons may communicate regarding the rulemaking (per A.R.S. § 49-471.05.(2))

Name: Rupesh Patel

Pinal County Air Quality Department

Address: 85 North Florence St.,

Florence, Arizona, 85132

Telephone: 520-866-6929

Email: rupesh.patel@pinal.gov

Online: <https://www.pinal.gov/403/Rulemaking>

3. Rulemaking process (per A.R.S. § 49-471.05.(3))

The rulemaking process will consist of an initial administrative rule development process, including this notice, a 30 day public comment period, a stakeholder meeting, an oral proceeding before the Control Officer or his designee and a Public Hearing with the Pinal County Board of Supervisors. The dates, times and location for the stakeholder meeting, oral proceeding and BOS public hearing are listed below. Written comments are due prior to the close of the comment period, which shall be the close-of-business on the day of the oral proceeding. The final step in the rule adoption process will be the hearing before the Board of Supervisors. The Board of Supervisors hearing will separately scheduled and noticed in accord with A.R.S § 49-479, and where applicable, the requirements of 40 C.F.R § 51.102.

Comments may be submitted to PCAQCD through the PCAQCD website rulemaking page at <https://www.pinal.gov/403/Rulemaking> or by mail to the above address from March 27, 2025 through April 28, 2025.

While the law states that an oral proceeding may be held upon a written request for one, PCAQCD is choosing to schedule on proactively on April 28, 2025.

After public comment period has closed and PCAQCD has taken into account all comment and made necessary changes, PCAQCD will be presenting the rulemaking to the Board of Supervisors on May 28, 2025.

All notices, related information, and presentations will be available on PCAQCD website at <https://www.pinal.gov/403/Rulemaking> throughout this rulemaking process. The website is compatible with accessibility options and language translation software.

4. Explanation of the rule, including the control officer’s reasons for initiating the rulemaking (per A.R.S. § 49-471.05.(4))

The Pinal County Air Quality Control District (PCAQCD), an operating division of Pinal County, proposes that the Board of Supervisors (BOS) adopt or amend certain rules under authority of A.R.S. §§ 49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution.

On August 21, 2023, the U.S. Environmental Protection Agency (EPA) removed the emergency affirmative defense provisions from Clean Air Act (CAA) operating permit program (title V) regulations. These provisions established an affirmative defense that sources could have asserted in enforcement cases brought for noncompliance with technology-based emission limitations in operating permits, provided that the exceedances occurred due to qualifying emergency circumstances. These provisions, which have never been required elements of state operating permit programs, are being removed because they are inconsistent with the EPA’s interpretation of the enforcement structure of the Clean Air Act. In practice, the EPA has found no examples of these defenses being used, and Pinal County Air Quality Control District (PCAQCD) also has no record of them being used in Pinal County.

PCAQCD has a delegation agreement (EV22-0020) with the Arizona Department of Environmental Quality for the permitting and enforcement over all major sources of air pollution located within Pinal County. As the local permitting authority, Pinal County submits to remove title V affirmative defense provisions from their delegated title V program, and to remove similar provisions from individual operating permits.

The EPA rules mandate removal of these affirmative defenses as they apply to major sources only, and only regarding any enforcement actions under federal law. This could enable Pinal County to retain some of these affirmative defenses entirely, and some with caveats that they could only be used in state proceedings but not federal ones. For the sake of consistency and clarity, PCAQCD intends to remove these affirmative defenses across the board for all major and minor industrial sources.

In this rulemaking action Pinal County is removing the emergency affirmative defense provisions in Chapter 3, Article 1, Section 081 (§ 3-1-081) and the affirmative defense definition in Chapter 8, Article 1, Section 020 (§ 8-1-020) of the Pinal County Air Quality Control District Code of Regulations. In addition Pinal County seeks to correct a single topographical error (formatting of numbering and letter scheme) in § 3-1-081.14.[sic] to read § 3-1-081.14.f.

The proposed amended rules are identified below and include amendments to § 1-1-105 (not to be included with the SIP submittal) with the final step in this rulemaking being the submittal through ADEQ to EPA (and EPA approval) of the adopted rules in § 3-1-081 and § 8-1-020 for inclusion in the State Implementation Plan (SIP).

<u>Section Affected</u>		<u>Rulemaking Action</u>
§ 1-1-105.	SIP List.....	Amended
§ 3-1-081.	Permit Conditions.....	Revised
§ 8-1-020.	Violation; classification; definition.....	Revised

Those wishing further information regarding any aspect of this proposal may contact Rupesh Patel, Pinal County Air Quality, 85 North Florence St., Development Services Building,

Florence, Arizona, 85132, (520) 866-6915, rupesh.patel@pinal.gov. To the extent possible, the District will also post information on the County's website: <https://www.pinal.gov/305/Air-Quality>.

The proposed rule revisions include the following:

- a. Amendment of § 1-1-105 to include the amend date for Chapter 3, Article 1, Section 081. § 1-1-105 is a list designating which Board approved rules (and their corresponding adoption dates) are to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP. § 1-1-105 is not to be included in the SIP submittal.
- b. Revision to § 3-1-081. Propose revision to remove the emergency provision element of required permit conditions specifically related to actions brought for noncompliance with such technology-based emission limitations.
- c. Revision to § 8-1-020. Propose revision to remove the affirmative defense provision element of the definitions.

Persons may obtain a full copy of the proposed rules or existing rules at:

Pinal County Air Quality Control District
85 North Florence St., Development Services Building
P.O. Box 987
Florence, AZ. 85132
<https://www.pinal.gov/403/Rulemaking>

5. Studies relied on in the control officer's evaluation of or justification for the rule and where the public may obtain or review the studies, all data underlying the studies, any analysis of the studies and other supporting material (A.R.S. § 49-471.05(5)):

None

6. An economic, small business and consumer impact statement that includes those elements prescribed in section A.R.S. § 41-1055, subsections A, B and C. (A.R.S. § 49-471.05(6))

a. A.R.S. § 41-1055(A)

The proposed rulemaking removes the sections of Pinal County Code that relate to affirmative defenses for emissions exceedances for stationary sources.

The conduct and frequency of the occurrence that the rule is designed to change is nonapplicable and non-existent, because PCAQCD has no record of them ever being used.

PCAQCD is following federal guidance and the Arizona Rulemaking Manual in the proposal to remove these rules. The proposed rulemaking is to attain consistency among different types of sources.

There will be no change in frequency of the targeted conduct from the rule change because affirmative defenses have not been used.

This preamble contains the entirety of the economic, small business, and consumer impact statement. There is no separate statement.

b. A.R.S. § 41-1055(B)

Considering the affirmative defense has been in Pinal County Code since 1993 in the case of the “emergency,” and have never been used by a permitted source, there are no anticipated economic impacts to persons or businesses from this proposed rulemaking. Therefore, no costs and benefits analysis was conducted.

Pinal County

The costs to Pinal County are only the costs of staff time to engage in this rulemaking, including some PCAQCD staff time and the time of the Board of Supervisors and their administrators in advancing this rulemaking, and the costs of publishing notices regarding the rulemaking.

c. A.R.S. § 41-1055(C)

Not applicable

7. **The proposed effective date of the rule or ordinance (A.R.S. § 49-471.05(7))**

May 28, 2025

8. **Such other matters as are prescribed by statute and that are applicable to the county or to any specific rule or ordinance or class of rules or ordinances. (A.R.S. § 49-471.05(8))**

Not applicable.

9. **For a final rule or ordinance, a list of all previous notices appearing in the register addressing the proposed rule or ordinance and a concise explanatory statement prescribed in section A.R.S. § 49-471.07, subsection B (A.R.S. § 49-471.05(9))**

Not applicable

10. **Date, time and location of scheduled stakeholder meeting, oral proceeding and Board of Supervisors Public Hearing:**

This rulemaking follows procedures identified in state statutes, Pinal County Air Quality Control District Code of Regulations. All of the following are open to all:

Public Comment Period..... March 27, 2025 through April 28, 2025

Stakeholder Meeting (online only)..... April 21, 2025

Monday, April 21 · 9:00 – 10:00am

Time zone: America/Phoenix

Google Meet joining info

Video call link: <https://meet.google.com/fjp-evsw-qvn>

Or dial: (US) +1 405-534-5960 PIN: 131 212 778#

More phone numbers: <https://tel.meet/fjp-evsw-qvn?pin=3858131889296>

Oral Proceeding/Public Hearing (online only).....April 28, 2025
Monday, April 28 · 9:00 – 10:00am
Time zone: America/Phoenix
Google Meet joining info
Video call link: <https://meet.google.com/nhg-knsz-oqn>
Or dial: (US) +1 978-806-4156 PIN: 255 664 271#
More phone numbers: <https://tel.meet/nhg-knsz-oqn?pin=3436591454448>

Nature of meeting: Oral proceeding before the Control Officer or his designee in accord with A.R.S. § 49-471.06(C) to consider public comments upon any or all of this proposal.

Board of Supervisors Meeting to vote on rules.....May 28, 2025
Wednesday, May 7 · 9:30am
Pinal County Board of Supervisors Hearing Room
135 N. Pinal St., Florence, AZ. 85132
Event Details: <https://www.pinal.gov/396/Meeting-Videos>

Notice of Final Rulemaking
To be posted at a later date

11. The full text of the proposed changes:

Pinal County Air Quality Control District Code of Regulations can be found at:
<https://www.pinal.gov/403/Rulemaking>

The proposed changes are reflected below in strikethroughs to indicate proposed removal, and underline to indicate proposed new language being added to the existing rule.

1-1-105. SIP list

- A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:
1. Chapter 1
 - a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§ 1-1-105 and 1-1-107.
 - b. Article 2 (As amended 5/14/97 and 7/12/00) except for § 1-2-110.
 - c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for § 1-3-130 and the definition in § 1-3-140.82 (10/12/95) of "maximum achievable control technology.")
 2. Chapter 2
 - a. Article 1. (As amended 10/12/95).
 - b. Article 2. (As amended 5/14/97), excluding:
 - i. § 2-2-090 (as amended 5/14/97)
 - c. Article 3. (As amended 10/12/95).
 - d. Article 4. (As amended 10/12/95).
 - e. Article 5. (As amended 10/12/95).
 - f. Article 6. (As amended 10/12/95).
 - g. Article 7. (As amended 10/12/95).
 - h. Article 8. (As amended 5/18/05, as amended 1/7/09).
 3. Chapter 3
 - a. Article 1. (As amended 5/14/97, and 5/27/98, 7/12/00, ~~and 7/1/20~~ and 5/28/25), excluding:
 - i. § 3-1-020
 - ii. § 3-1-045
 - iii. § 3-1-080
 - iv. § 3-1-100
 - v. § 3-1-150 (as amended 5/14/97)
 - vi. § 3-1-160 (as amended 5/14/97)
 - vii. § 3-1-170 (as amended 5/14/97)
 - viii. § 3-1-173 (as amended 5/14/97)
 - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
 - c. Article 3. (As amended 10/12/95, 5/27/15).
 - d. Article 8. (As amended 10/12/95 and 10/27/04).
 4. Chapter 4
 - a. Article 1. (As amended 2/22/95, 10/28/15, 1/25/23).
 - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
 - c. Article 3, limited to:
 - i. § 4-3-160 (As amended 10/28/15, 1/25/23)
 - ii. § 4-3-170 (As amended 10/28/15, 1/25/23)
 - iii. § 4-3-180 (As amended 10/28/15, 1/25/23)
 - d. Article 4 (As amended 6/3/09).
 - e. Article 5 (As amended 6/3/09).
 - f. Reserved.
 - g. Article 7 (As amended 6/3/09)
 - h. Reserved.
 - i. Article 9, limited to:
 - i. § 4-9-310 (As added 1/25/23)
 - ii. § 4-9-320 (As amended 6/3/09)

- iii. § 4-9-340 (As amended 6/3/09)
 - 5. Chapter 5
 - a. Article 13. (as amended 8/5/20, excluding:
 - i. § 5-13-390 (as amended 10/12/95)
 - b. Article 20. (as amended 8/5/20)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save § 3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
 - 1. "construction," as defined in Nov. '93 Code § 1-3-140.28; or
 - 2. "modification," as defined in Nov. '93 Code § 1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
 - 1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in § 1-3-140.33;
 - 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. § 111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
 - 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
 - 4. Operate as an element of the SIP, at least insofar as they require a "certification";
 - 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
 - 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
 - 7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
 - 1. §§ 1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) Declaration of Policy
 - 2. Chapter 2, Article 8 (As amended 1/7/09) Visibility Limiting Standard
 - 3. Chapter 3, Article 8 (2/22/95) Open Burning
 - 4. [Reserved]
 - 5. [Reserved]
 - 6. [Reserved]
 - 7. [Reserved]
 - 8. [Reserved]
 - 9. [Reserved]
 - 10. [Reserved]
 - 11. [Reserved]
 - 12. § 5-18-740 (2/22/95) Storage of Organic Compounds - Organic Compound Emissions
 - 13. § 5-19-800 (2/22/95) Loading of Volatile Organic Compounds - Organic Compound Emissions
 - 16. § 5-22-950 (2/22/95) Fossil Fuel Fired Steam Generator Standard Applicability

17. § 5-22-960 (2/22/95) Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation
18. § 5-24-1030.F (2/22/95) Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions
19. § 5-24-1030.I (2/22/95) Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide
20. § 5-24-1032 (2/22/95) Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions
21. § 5-24-1040 (2/22/95) Carbon Monoxide Emissions - Industrial Processes
22. § 5-24-1045 (2/22/95) Sulfite Pulp Mills - Sulfur Compound Emissions
23. § 5-24-1050 (2/22/95, as amended June 20, 1996) Reduced Sulfur Emissions - Default Limitation
24. § 5-24-1055 (2/22/95) Pumps and Compressors - Organic Compound Emissions

CHAPTER 3. PERMITS AND PERMIT REVISIONS

ARTICLE 1. GENERAL PROVISIONS RELATING TO PERMITS AND PERMIT REVISIONS

3-1-081. Permit conditions

- A. Each permit issued shall include the following elements:
1. The date of issuance and the permit term.
 2. Enforceable emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance.
 - a. The permit shall specify and reference the origin of and authority for each term or condition, and identify any difference in form as compared to the applicable requirement upon which the term or condition is based.
 - b. The permit shall state that, where an applicable requirement of the Clean Air Act (1990) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Clean Air Act (1990), both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.
 - c. Any permit containing an equivalency demonstration for an alternative emission limit submitted pursuant to §3-1-050.D. shall contain provisions to ensure that any resulting emissions limit has been demonstrated to be quantifiable, accountable, enforceable, and based on replicable procedures.
 - d. The permit shall specify applicable requirements for fugitive emission limitations, regardless of whether the source category in question is included in the list of sources contained in the definition of major source in §1-3-140.
 - e. Emission limitations for batch processors shall be based on worst-case operational scenarios as adequately demonstrated by the permit applicant.
 3. Each permit shall contain the following requirements with respect to monitoring:
 - a. All emissions monitoring and analysis procedures or test methods required under the applicable requirements, including any procedures and methods promulgated pursuant to §§114(a)(3) or 504(b) of the Clean Air Act (1990);
 - b. Where the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit as reported pursuant to Subdivision A.4. of this section. Such monitoring requirements shall assure use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement. Recordkeeping provisions may be sufficient to meet the requirements of this paragraph; and
 - c. As necessary, requirements concerning the use, maintenance, and, where appropriate, installation of monitoring equipment or methods.
 4. With respect to recordkeeping, the permit shall incorporate all applicable recordkeeping requirements and require, where applicable, the following:
 - a. Records of required monitoring information that include the following:

- i. The date, place as defined in the permit, and time of sampling or measurements;
 - ii. The date(s) analyses were performed;
 - iii. The company or entity that performed the analyses;
 - iv. The analytical techniques or methods used;
 - v. The results of such analyses; and
 - vi. The operating conditions as existing at the time of sampling or measurement;
 - b. Retention of records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
5. With respect to reporting, the permit shall incorporate all applicable reporting requirements and require the following:
- a. Submittal of reports of any required monitoring at least every 6 months. All instances of deviations from permit requirements shall be clearly identified in such reports. All required reports shall be certified by a responsible official consistent with §§3-1-175 and 3-1-083.A.5.
 - b. Prompt reporting of deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Within a permit the Control Officer shall define "prompt" in relation to the degree and type of deviation likely to occur and the applicable requirements, provided that no report under this subparagraph shall be due sooner than two days after the upset event, nor later than ten days after the upset event.
6. A permit condition prohibiting emissions exceeding any allowances that the source lawfully holds under Title IV of the Clean Air Act (1990) or the regulations promulgated thereunder and incorporated pursuant to §3-6-565.
- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided that such increases do not require a permit revision under any other applicable requirement.
 - b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to non compliance with any other applicable requirement.
 - c. Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act (1990).
 - d. Any permit issued pursuant to the requirements of this chapter and Title V of the Clean Air Act (1990) to a unit subject to the provisions of Title IV of the Clean Air Act (1990) shall include conditions prohibiting all of the following:
 - i. Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide held by the owners or operators of the unit or the designated representative of the owners or operators.
 - ii. Exceedances of applicable emission rates.
 - iii. The use of any allowance prior to the year for which it was allocated.
 - iv. Contravention of any other provision of the permit.

7. A severability clause to ensure the continued validity of the various permit requirements in the event of a challenge to any portion of the permit.
8. Provisions stating the following:
 - a. The permittee shall comply with all conditions of the permit. The permit shall contain all applicable requirements of Arizona air quality statutes and the air quality rules. Any permit noncompliance constitutes a violation of the Clean Air Act (1990) and is grounds for enforcement action; for a permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
 - b. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
 - c. The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
 - d. The permit does not convey any property rights of any sort, or any exclusive privilege.
 - e. The permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee shall furnish such records directly to the Administrator along with a claim of confidentiality.
9. A provision to ensure that the source pays fees to the Control Officer pursuant to Article 7 of this chapter.
10. A provision stating that no permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.
11. Terms and conditions for reasonably anticipated operating scenarios identified by the source in its application as approved by the Control Officer. Such terms and conditions:
 - a. Shall require the source, contemporaneously with making a change from one operating scenario to another, to record in a log at the permitted facility a record of the scenario under which it is operating;
 - b. Shall extend the permit shield described in §3-1-102 to all terms and conditions under each such operating scenario; and
 - c. Shall ensure that the terms and conditions of each such alternative scenario meet all applicable requirements and the requirements of this chapter.
12. Terms and conditions, if the permit applicant requests them, as approved by the Control Officer, for the trading of emissions increases and decreases in the permitted facility, to the extent that the applicable requirements provide for trading increases and decreases without a case-by-case approval of each emissions trade. Such terms and conditions:
 - a. Shall include all terms required under Subsections A. and C. of this section to determine compliance;

- b. May extend the permit shield described in Subsection D. of this section to all terms and conditions that allow such increases and decreases in emissions; and
 - c. Shall meet all applicable requirements and requirements of this chapter.
- 13. Terms and conditions, if the permit applicant requests them and they are approved by the Control Officer, setting forth intermittent operating scenarios including potential periods of downtime. If such terms and conditions are included, the county's emissions inventory shall not reflect the zero emissions associated with the periods of downtime.
- 14. If a permit applicant requests it, the Control Officer shall issue permits that contain terms and conditions allowing for the trading of emissions increases and decreases in the permitted facility solely for the purpose of complying with a federally enforceable emission cap that is established in the permit independent of otherwise applicable requirements.
 - a. The permit applicant shall include in its application proposed replicable procedures and permit terms that ensure the emissions trades are quantifiable and enforceable.
 - b. The Control Officer shall not be required to include in the emissions trading provisions any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades.
 - c. The permit shall also require compliance with all applicable requirements.
 - d. The permit terms and conditions shall provide for notice that conforms with section 3-2-180(D) and (E), and describes how the increases and decreases in emissions will comply with the terms and conditions of the permit, as per 40 CFR Chapter 1, Part 70, §70.4(b)(12).
 - e. Changes made under this subparagraph shall not include modifications under any provision of title I of the Act and may not exceed emissions allowable under the permit.
 - f. The permit terms and conditions shall provide for notice that conforms with section 3-2-180(D) and (E), as per 40 CFR Chapter 1, Part 70, §70.4(b)(12).
- B. Federally-enforceable requirements.
 - 1. All terms and conditions in a Class I permit, including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Clean Air Act (1990).
 - 2. Notwithstanding Subdivision B.1. of this section, the Control Officer shall specifically designate as not being federally enforceable under the Clean Air Act (1990) any terms and conditions included in the permit that are not required under the Clean Air Act (1990) or under any of its applicable requirements, provided that no such designation shall extend to any provision electively designated as federally enforceable pursuant to §3-1-084.
- C. All permits shall contain a compliance plan that meets the requirements of §3-1-083.
- D. Each permit shall include the applicable permit shield provisions set forth in §3-1-102.
- E. Emergency provision
 - 1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

- ~~2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology based emission limitations if the conditions of Subdivision 3. of this subsection are met.~~
- ~~3.2.~~ The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. The permittee submitted notice of the emergency to the Control Officer by certified mail or hand delivery within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirement of Paragraph A.5.b. of this section. The notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.
- ~~4.3.~~ In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- ~~5.4.~~ This provision is in addition to any emergency or upset provision contained in any applicable requirement.
- F. A Class I permit issued to a major source shall require that revisions be made pursuant to §3-1-087 to incorporate additional applicable requirements adopted by the Administrator pursuant to the Clean Air Act (1990) that become applicable to a source with a permit with a remaining permit term of three or more years. No revision shall be required if the effective date of the applicable requirement is after the expiration of the permit. The revisions shall be made as expeditiously as practicable, but not later than eighteen months after the promulgation of such standards and regulations. Any permit revision required pursuant to this section shall comply with provisions in §3-1-089 for permit renewal and shall reset the permit term.
- G. Any permit issued by the Control Officer to any person burning used oil, used oil fuel, hazardous waste, or hazardous waste fuel under this subsection shall contain, at a minimum, conditions governing:
1. Limitations on the types, amounts and feed rates of used oil, used oil fuel, hazardous waste or hazardous waste fuel which may be burned.
 2. The frequency and type of fuel testing to be conducted by the person.
 3. The frequency and type of emissions testing or monitoring to be conducted by the person.
 4. Requirements for record keeping and reporting.
 5. Numeric emission limitations expressed in pounds per hour and tons per year for air contaminants to be emitted from the facility burning used oil, used oil fuel, hazardous waste or hazardous waste fuel.
- H. The Control Officer may waive specific requirements of this section for Class II permits if the Control Officer determines that the conditions would be unnecessary or unreasonable for a particular source or category of sources.

CHAPTER 8. ENFORCEMENT PROCEDURES

ARTICLE 1. VIOLATIONS

8-1-020. Violation; classification; definition

From and after October 31, 1994:

- A. A person who knowingly releases into the ambient air any extremely hazardous substance listed pursuant to 42 U.S.C. §11002(a)(2) (1990) or any hazardous air pollutant and who knows at the time that he thereby places another person in imminent danger of death or serious bodily injury shall be guilty of a class 2 felony. For any air pollutant for which the Administrator, ADEQ Director or Control Officer has established a standard by regulation or in a permit, a release of such pollutant in accordance with that standard shall not constitute a violation of this subsection. For purposes of determining whether a defendant who is an individual knew that the violation placed another in imminent danger of serious bodily injury both of the following shall apply:
 - 1. The defendant is responsible only for actual awareness or actual belief possessed.
 - 2. Knowledge possessed by another person but not by the defendant may not be attributed to the defendant. Notwithstanding Subdivisions 1. and 2. of this subsection, circumstantial evidence, including evidence that the defendant took affirmative steps to be shielded from relevant information, may be used to prove knowledge.
- B. A person who operates a source that is required to have a permit both under this Code and under Title V of the Clean Air Act (1990) and who knowingly operates such source without a permit issued by the Control Officer and without having filed a complete application for renewal of an existing permit in accordance with Title V of the Clean Air Act (1990) and this Code is guilty of a class 5 felony.
- C. A person who operates a source that is subject to an emission standard that is required to be imposed in the source's permit both under this Code and under Title V of the Clean Air Act (1990), and who knowingly violates such emission standard is guilty of a class 5 felony.
- D. A person who is subject to an effective order of abatement issued pursuant to this Code and who knowingly violates such order is guilty of a class 5 felony.
- E. A person who is required by the Control Officer pursuant to this Code to conduct performance tests and who knowingly alters or modifies any such performance test in order to render the results inaccurate is guilty of a class 5 felony.
- F. A person who is required by the Control Officer to maintain any monitoring device pursuant to this Code, and who knowingly alters, modifies or destroys such monitoring device in order to render the device inaccurate is guilty of a class 5 felony.
- G. A person who operates a source that is required to have a permit issued pursuant to this Code and that is subject to a material permit condition other than an emission standard identified in Subsection C. of this section, and who knowingly violates such permit condition is guilty of a class 6 felony. For purposes of this subsection a material permit condition means a permit condition as defined in §3-1-109.
- H. A person who is required to obtain a permit before commencing construction of a source both under this Code and under Title V of the Clean Air Act (1990), and who knowingly commences construction of such source without a permit issued by the Control Officer is guilty of a class 6 felony.

- I. A person who operates a source that is not identified in Subsection B. of this section and that requires a permit under this Code, and who knowingly operates such source without a permit issued by the Control Officer and without having filed a complete application for renewal of an existing permit in accordance with this Code is guilty of a class 6 felony.
- J. A person who is required by the Control Officer pursuant to this Code to operate a monitoring device, and who knowingly fails to maintain, operate or repair such monitoring device in order to render the device inaccurate is guilty of a class 6 felony.
- K. A person who is required to obtain a permit to commence construction of a source under this Code but not under Title V of the Clean Air Act (1990), and who acting with criminal negligence commences construction of such source without a permit issued by the Control Officer is guilty of a class 1 misdemeanor.
- L. A person who acting with criminal negligence does any of the following is guilty of a class 1 misdemeanor:
 - 1. Violates a permit condition not described in Subsections C. or G. of this section.
 - 2. Violates an opacity standard, unless the opacity standard is required by §111 or Title I, Part C or D, of the Clean Air Act (1990).
 - 3. Violates a fee or filing requirement established both under this Code and under Title V of the Clean Air Act (1990).
 - 4. Violates any other provision of this Code for which a penalty is not otherwise prescribed.
- M. Under this section, a knowing violation that continues for more than one day, that results from a single act or series of related acts, constitutes the commission of a single offense.
- N. In determining the amount of a fine under this section, the court, in accordance with A.R.S. §49-514 (1992), shall consider all of the following:
 - 1. The seriousness of the violation.
 - 2. As an aggravating factor only, the economic benefit, if any, resulting from the violation.
 - 3. Any history of that violation.
 - 4. Any good faith efforts to comply with the applicable requirements.
 - 5. The economic impact of the penalty of the violator.
 - 6. The duration of the violation as established by any credible evidence including evidence other than the applicable test method.
 - 7. Payment by the violator of penalties previously assessed for the same violation.
 - 8. Other aggravating and mitigating factors, as the court deems relevant.
- O. It shall be an affirmative defense to any prosecution under Subsection A. of this section that the conduct charged was freely consented to by the person endangered and that the danger and conduct charged were reasonably foreseeable hazards of either of the following:
 - 1. An occupation, business or profession.
 - 2. Medical treatment or medical or scientific experimentation conducted by professionally approved methods provided that the person endangered was made aware of the risk involved in the treatment or experimentation prior to giving consent.

~~P.~~ It shall be an affirmative defense to any prosecution for violation of an emission standard or opacity standard under Subsections C. or G. or Subsection L., Subdivisions 1., 2. or 4. of this section that both of the following conditions were satisfied:

- ~~1.~~ The violation was reported by verbal or facsimile notification to the Control Officer within twenty four hours after the source first learned of the violation.
- ~~2.~~ The owner or operator of the source provided written notification to the control officer containing all of the following information within seventy two hours following the verbal or facsimile notification:
 - ~~a.~~ Confirmation of the violation for which verbal or facsimile notification was provided.
 - ~~b.~~ Identification of the practicable corrective measures that have been undertaken or will be undertaken to control and minimize emissions until compliance with the applicable standard is achieved. In the case of continuous or recurring violations, the notification requirement shall be satisfied if the source provides the required notification after violations are first detected and includes in such notification an estimate of the time the violations will continue. Violations occurring after the estimated time period shall require additional notification pursuant to the first sentence of this paragraph.

~~Q.~~P. It shall be an affirmative defense to any prosecution under Subsections B., H., I. or K. of this section for operating a source or commencing construction without a permit that, after accurately disclosing in writing all relevant information that is necessary to assess the requirement to obtain a permit and that is requested by the District, the defendant obtained and relied upon the written advice of the District that no permit was necessary. Failure of the District to respond in writing to a request for a determination under this subsection within fourteen days after receiving the information described above shall be deemed to be advice that no permit was necessary for purposes of this subsection.

~~R.~~Q. The defendant may establish an affirmative defense provided by this section by a preponderance of the evidence.

~~S.~~R. Under this section, to prove a knowing violation the County must prove actual knowledge of circumstances constituting each element of the offense which, as defined, requires proof of a culpable mental state. Actual knowledge may be proved by either direct or circumstantial evidence, including evidence that the person deliberately avoided acquiring such knowledge. A person's knowledge may not be inferred merely by his or her position within an enterprise.

~~T.~~S. For purposes of this section, the term "emission standard" means a numeric limitation on the volume or concentration of air pollutants in emissions from a source or a specific design, equipment or work practice standard, the purpose of which is to eliminate or reduce the volume or concentration of pollutants emitted by a source. The term emission standard does not include opacity standards. Violations of emission standards shall be determined in the manner prescribed by the applicable regulations issued by the Administrator or the ADEQ Director or Control Officer.

Pinal County Air Quality Control District (PCAQCD)

Proposed Amendments to Remove Emergency Defense
Provisions in Air Quality Operating Permits

State Implementation Plan (SIP) Rulemaking
Ch.3 Article 1 Section 081
Ch.8 Article 1 Section 020

BOS Work Session

April 16, 2025



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Presentation Outline

- **Background**
 - Part 70 Operating Permits (aka “Title V” Operating Permits)
 - Emergency Affirmative Defense
- **Proposed Amendments**
 - Removal of Emergency Affirmative Defense
- **Stakeholder & Public Engagement**
- **Staff Recommendation**



Regulation

- **Delegated Functions and Duties**
 - ADEQ Delegation Agreement # EV22-0020
 - District Authority to review, issuance, administration and enforcement of air quality permits.
- Emergency Affirmative Defense Applies to “major sources” of air pollution
 - Sources with $PTE \geq 100$ tons/yr of criteria pollutant.
 - Currently we permit 388 sources of which 24 are major sources.



Emergency Affirmative Defense

- **Emergency Events**
 - Examples: wildfires, high winds events
 - Can cause permitted equipment or air pollution control equipment to malfunction and exceed their emission limits
 - Are typically beyond the reasonable control of a permittee.
- **Emergency Affirmative Defense**
 - The permittee submits a report that demonstrates that all reasonable steps were taken to minimize emissions from the emergency.



Court Case & Changes

Date	Description
1992	Emergency affirmative defense provisions were included in EPA's initial Title V regulation.
2014	<p><u>Natural Resource Defense Council v. EPA</u></p> <ul style="list-style-type: none"> • EPA exceeded its authority under the Clean Air Act by creating these emergency affirmative defense provisions in an EPA NESHAP regulation. • Hence, the affirmative defense provisions in the affected EPA NESHAP regulation were vacated.
2016	<ul style="list-style-type: none"> • EPA proposed changes to the Title V program. Changes not finalized.
2023-2023	<ul style="list-style-type: none"> • EPA responded and finalized changes to the Title V program. • Affected entities have until August 21, 2024 to change their implementing rules and remove Emergency Defense provisions. • District request for 1 year extension granted to August 21, 2025.



Proposed Amendments

- **Remove Affirmative Defense text in rules:**
 - 3-1-081 Permit conditions
 - 8-1-020 Violation; classification; definition
- **Removal will apply to Title V and Non Title V Sources**
- **Negligible impacts to Permitted Title V and Non Title V Sources**
 - Equipment failures
 - Level playing field
 - Emergency Variance
 - Mutual Settlement Program
- **Affirmative Defense Provisions have never been used.**



Public & Stakeholder Engagement

Date	Description
March 17, 2025	• Begin 30 day public notice
April 16, 2025	• BOS Work Session
April 21, 2025	• Stakeholder Meeting
April 28, 2015	• Public hearing - End of Public Comment Period
May 7, 2025	• BOS Public Hearing and Presentation of Rule Amendment
May 2025	• SIP Submittal to ADEQ - Permit Program Rule Amendment to EPA



Staff Recommendation

- **Consider adoption of the proposed amendments to the Districts Regulation XXX - Part 70 Operating Permit Program**



Contact Information

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Air Quality Manager (Planning)

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<https://www.pinal.gov/403/Rulemaking>



Pinal County Air Quality Control District (PCAQCD)

Proposed Amendments to Remove Emergency Defense
Provisions in Air Quality Operating Permits

State Implementation Plan (SIP) Rulemaking
Ch.3 Article 1 Section 081
Ch.8 Article 1 Section 020

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 - 3-1-081 Permit conditions
 - 8-1-020 Violation; classification; definition
- **Removal will apply to Title V and Non Title V Sources**
- **Negligible impacts to Permitted Title V and Non Title V Sources**
 - Equipment failures - Malfunctions (Chapter 8, Article 1, Section 030)
 - Emergency Variance - Non Title V (Chapter 3, Article 5, Section 530)
 - Mutual Settlement Program - Supplemental Environmental Projects
 - Level playing field - Hearing Board Appeals (Chapter 3, Article 1, Section 080)
- **Emergency Affirmative Defense Provisions have never been used.**



Public & Stakeholder Engagement

Date	Description
March 17, 2025	• Begin 30 day public notice
April 14, 2025	• Stakeholder Meeting
April 16, 2025	• BOS Work Session
April 28, 2025	• Public hearing - End of Public Comment Period
May 28, 2025	• BOS Agenda Consent Item - Request to Adopt Rule Amendment
May 2025	• SIP Submittal to ADEQ - Permit Program Rule Amendment to EPA



Staff Recommendation

- **Consider adoption of the proposed amendments to the Districts Regulation 3-1-081 and 8-1-020 Operating Permit Program.**



Contact Information

Rupesh Patel

Air Quality Manager (Planning)

520-866-6915

rupesh.patel@pinal.gov

<https://www.pinal.gov/403/Rulemaking>





AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name: Clerk of the Board

Director: Natasha Kennedy

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Pursuant to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN, that the public will have physical access to the meeting room at 9:15 AM.

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History		
Time	Who	Approval

ATTACHMENTS:
Click to download
No Attachments Available



AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Notice of Possible Recess: The Board may take a Recess around 1:00 p.m. for the Volunteer Appreciation Luncheon and the meeting will reconvene around 3:00 p.m.

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History		
Time	Who	Approval

ATTACHMENTS:
Click to download
No Attachments Available



AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name: Clerk of the Board

Director: Natasha Kennedy

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Meeting Notice of Posting

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History	Who	Approval
Time		

ATTACHMENTS:

Click to download

☐ [Notice of Posting](#)



MEETING NOTICE OF POSTING

STATE OF ARIZONA

COUNTY OF PINAL

I, Natasha Kennedy, being duly sworn upon her oath, says as follows:

I am the appointed Clerk of the Pinal County Board of Supervisors.

In my position as Clerk of the Board of Supervisors and Board of Directors, I am responsible for posting all Agendas.

Pursuant to A.R.S. 38-431.02 notice is hereby given that the Pinal County Board of Supervisors will hold a Work Session meeting on **Wednesday, April 16, 2025 at 9:30 AM** in the Board Hearing Room, 1891 Historic Courthouse, Administrative Complex, located at 135 N. Pinal Street, Florence, Arizona 85132. The public will have physical access to the meeting room at 9:15 AM.

Notice of Possible Recess: The Board may take a Recess around 1:00 PM for the Volunteer Appreciation Luncheon and the meeting will reconvene around 3:00 PM.

Board Meetings are broadcasted live and the public may access the meeting on the County Website at Pinal.gov under "Meeting Videos."

Board Agendas are available on the County Website at Pinal.gov under "Agendas & Minutes."

At any time during business hours, citizens may reach the Clerk of the Board Office at (520) 866-6068 or via email at ClerkoftheBoard@pinal.gov for information about Board meeting participation.

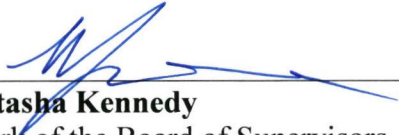
Note: One or more members of the Board may participate in this meeting by telephonic conference call.

I hereby further certify that I caused to be posted this Friday, April 11, 2025, around 11:00 AM the Work Session Agenda, as follows:

1. A kiosk located outside the front entrance to The Old Historical Courthouse, Administrative Complex Building, 135 North Pinal Street, Florence, Arizona 85132
2. County Website under Agendas & Meetings located at Pinal.gov
3. Emailed the NOVUS Agenda Distribution List and Clerk of the Board Notification Distribution List

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Official Pinal County, Arizona Seal this 11th day of April, 2025.




Natasha Kennedy
Clerk of the Board of Supervisors
Pinal County, Arizona

CLERK OF THE BOARD OF SUPERVISORS

1891 Historic Courthouse | 135 North Pinal Street | P.O. Box 827 | Florence, AZ 85132 | T: 520-866-6068
www.pinal.gov



AGENDA ITEM

April 16, 2025 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

[Click Here for the General Board Meeting Rules of Order](#)

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History	Who	Approval
Time		

ATTACHMENTS:

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No Attachments Available