

NOTICE OF  
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Office of Administrative Rules.

Rule Information

DAR file no: \_\_\_\_\_ Date filed: \_\_\_\_\_  
 State Admin Rule Filing Key: 161520  
 Utah Admin. Code ref. (R no.): R307-110-10

Agency Information

1. Agency: ENVIRONMENTAL QUALITY - Air Quality  
 Room no.: Fourth Floor  
 Building:  
 Street address 1: 195 N 1950 W  
 Street address 2:  
 City, state, zip: SALT LAKE CITY UT 84116-3085  
 Mailing address 1: PO BOX 144820  
 Mailing address 2:  
 City, state, zip: SALT LAKE CITY UT 84114-4820  
 Contact person(s):

Name:	Phone:	Fax:	E-mail:	Remove:
Liam Thrailkill	801-536-4419		lthrailkill@utah.gov	

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Title

2. Title of rule or section (catchline):  
 Section IX, Control Measures for Area and Point Sources, Part A, Fine Particulate Matter.

Notice Type

3. Type of notice: Amendment

#### Rule Purpose

4. Purpose of the rule or reason for the change:

The Utah Air Quality Board has proposed for public comment amendments to Utah State Implementation Plan (SIP), Section IX, Part A. The amendments to the SIP add plans that demonstrate maintenance of the 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) through the year 2035 for the 3 nonattainment areas. The nonattainment areas are Logan, UT-ID, Provo, and Salt Lake City. Section R307-110-10 incorporates Section IX, Part A into the rule, and must be amended to change the Board adoption date to the anticipated adoption date of the amended plan.

#### Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.

No  Yes

#### Rule Summary

6. Summary of the rule or change:

Section R307-110-10 is amended by changing the date of the last adoption by the Air Quality Board to December 4, 2019. The Maintenance Plans for Logan, Provo, and Salt Lake City will be open for public comment and found at <https://deq.utah.gov/air-quality/air-quality-rule-plan-changes-open-public-comment>.

### Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected:  No  Yes

This rule change is not expected to have any fiscal impact on the state budget because the plan being incorporated into the rule shows how already existing regulations will lead to attainment of the PM2.5 air quality standard.

B) Local government:

Affected:  No  Yes

This rule change is not expected to have any fiscal impact on local governments because the plan being incorporated into the rule shows how already existing regulations will lead to attainment of the PM2.5 air quality standard.

C) Small businesses:

Affected:  No  Yes

("small business" means a business employing fewer than 50 persons)

This rule change is not expected to have any fiscal impact on small businesses because the plan being incorporated into the rule shows how already existing regulations will lead to attainment of the PM2.5 air quality standard.

D) Persons other than small businesses, businesses, or local government entities:

Affected:  No  Yes

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

This rule change is not expected to have any fiscal impact on persons other than small businesses, businesses, or local government entities because the plan being incorporated into the rule shows how already existing regulations will lead to attainment of the PM2.5 air quality standard.

### Compliance Cost Information

8. Compliance costs for affected persons:

This rule change will not have a compliance cost for affected persons because the plan being incorporated into the rule shows how already existing regulations will lead to attainment of the PM2.5 air quality standard.

### Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

After conducting a thorough analysis, it is determined that this proposed rule will not result in a fiscal impact to businesses due to the plan being incorporated into the rule showing how existing regulations will lead to the attainment of the PM2.5 air quality standard.

B) Name and title of department head commenting on the fiscal impacts:

Scott Baird, Interim Executive Director

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

Subsection 19-2-104(1)(a)

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials	Utah State Implementation Plan Section IX, Control Measures for
Incorporated (from title page)	Area and Point Sources, Part A, Fine Particulate Matter.
Publisher	Utah Division of Air Quality
Date Issued (mm/dd/yyyy)	
Issue, or version (including partial dates)	12/04/2019
ISBN Number	
ISSN Number	
Cost of Incorporated Reference	
Adds, updates, removes	Updates

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 10/31/2019

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 12/05/2019

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, one term per field, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):  
air pollution, PM2.5, PM10, ozone

File Information

15. Attach an RTF document containing the text of this rule change (filename):  
There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and Bryce Bird  
title: Director

Date (mm/dd/yyyy):