



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

Air Quality Board
Cassady Kristensen, *Chair*
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Kimberly D. Shelley
Jeff Silvestrini
Bryce C. Bird,
Executive Secretary

DAQ-097-23

**UTAH AIR QUALITY BOARD MEETING
TENTATIVE AGENDA**

Wednesday, January 3, 2024 - 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

Board members may be participating electronically. Interested persons can participate telephonically by dialing 1-641-569-8452 using access code: 510-341-481#, or via the Internet at meeting link: meet.google.com/qbq-jibg-erx

- I. Call-to-Order
- II. Date of the Next Air Quality Board Meeting: February 7, 2024
- III. Approval of the Minutes for the November 1, 2023, Board Meeting.
- IV. Propose for Public Comment: New Rule R307-314. Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities. Presented by Ryan Bares.
- V. Propose for Public Comment: Amend R307-130. General Penalty Policy. Presented by Ryan Bares.
- VI. Discretionary Federal Funding Letter to the Governor's Office of Planning and Budget. Presented by Kevin Cromar.
- VII. Informational Items.
 - A. Air Toxics. Presented by Leonard Wright.
 - B. Compliance. Presented by Harold Burge, Rik Ombach, and Chad Gilgen.
 - C. Monitoring. Presented by Bo Call.
 - D. Other Items to be Brought Before the Board.
 - E. Board Meeting Follow-up Items.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact LeAnn Johnson, Office of Human Resources at (385) 226-4881, TDD (801) 536-4284 or by email at leannjohnson@utah.gov.

195 North 1950 West • Salt Lake City, Utah
Mailing Address: P.O. Box 144820 • Salt Lake City, Utah 84114-4820
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ITEM 4



State of Utah

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Director

DAQ-099-23

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Erica Pryor, Rules Coordinator

FROM: Ryan Bares, Environmental Scientist

DATE: December 21, 2023

SUBJECT: PROPOSE FOR PUBLIC COMMENT: New Rule R307-314. Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities.

On August 3, 2018, the U.S. Environmental Protection Agency (EPA) designated Utah's Northern Wasatch Front (NWF) as a marginal nonattainment area (NAA) for the 2015 National Ambient Air Quality Standard (NAAQS) for 8-hour ozone concentrations (83 FR 25776). On October 7, 2022, EPA finalized the reclassification of the NWF NAA from marginal to moderate status (87 FR 60897) since the area failed to attain the standard by the attainment date of August 3, 2021. The reclassification to moderate status became effective on November 7, 2022. As a result of this designation, under Section 182(b) of the Clean Air Act (CAA), the state of Utah was required to submit a revision to Utah's State Implementation Plan (SIP) which outlines specific provisions to be implemented for the NWF NAA to attain the NAAQS as expeditiously as practicable.

While the state of Utah has submitted a SIP revision addressing statutory requirements for a moderate NAA, the SIP revision fails to fully implement the required 15% reduction in volatile organic compound (VOC) emissions, known as the Reasonable Further Progress (RFP) requirement, with the state of Utah required to identify and implement ~10.3 tons per day (tpd) of additional VOC emissions reductions. As a result of this failure to fully implement RFP, the state of Utah is facing potential sanctions to federal highway funds under Section 179(b) of the CAA upon the disapproval of this portion of the moderate SIP. Additionally, based on recent monitoring data, the NWF NAA is not expected to attain the standard of 70 ppb by the moderate attainment date of August 3, 2024, and therefore it is anticipated that the NAA will be further reclassified to serious nonattainment. This "bump-up" in nonattainment status will require

additional reductions of ozone forming precursor emissions to be implemented no later than summer of 2026.

As a result of the ongoing obligations to reduce VOC emissions under the moderate RFP requirements, as well as the upcoming emission reductions anticipated under a serious designation, the Utah Division of Air Quality (“the Division”) is proposing an administrative rule to reduce emissions of both VOCs and oxides of nitrogen (NO_x) from small mobile engines used in yard care activities.

The rule, R307-314, Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities, will reduce emissions of VOCs and nitrogen oxides (NO_x) throughout the NWF NAA by implementing in-use requirements on small off-road spark ignition two-stroke engines used in this sector on days in which the Division forecasts ambient ozone concentrations may exceed the NAAQS and issues a mandatory action day notice. R307-314 will apply to Davis, Salt Lake, Tooele, Utah, and Weber Counties, and will apply on days when mandatory action days are issued for each respective county. R307-314 is limited to lawn care equipment powered by two-stroke engines, which typically include equipment like leaf blowers, string trimmers, and chainsaws. As lawn mowers are overwhelmingly powered by four-stroke engines, R307-314 is not expected to have significant implications for lawn mowers operating within the NAA.

Based on current inventories and the best available data, the Division estimates that the emissions from the combined equipment covered under R307-314 emits 1,332 tons per year (tpy) of VOC emissions, or 3.65 tpd, and an additional 43.5 tpy (0.12 tpd) of NO_x emissions. The Division anticipates that the adoption of R307-314 would result in the reduction of 2.85 tpd of VOC emissions from the NWF NAA, as well as 0.09 tpd of NO_x emissions. Critically, as R307-314 is currently proposed, these emission reductions will occur on days when the area is likely to exceed the NAAQS. Given the outstanding 10.3 tpd emission reduction needed to fulfill RFP requirements, R307-314 serves as a critical component of the state’s efforts to meet moderate NAA statutory requirement and prevent the triggering of punitive sanctions.

The Division performed a cost analysis to determine the cost effectiveness of R307-314 in cost per ton of ozone precursor emissions removed. Since operators can comply with R307-314 through several mechanisms, such as delaying activities until improved air quality, or transitioning to zero emission equipment, the Division examined costs as a range of potential costs, ranging from a theoretical scenario where 100% of operators delay activities but retain current gas-powered equipment, to a theoretical scenario where 100% of operators immediately purchase zero emission electric alternatives. The Division identified a cost range of \$0.00 to \$4,898 per ton of pollutant removed. Therefore, the Division has concluded that R307-314 as proposed is a cost-effective strategy for the reduction of ozone forming precursor emissions within the NWF NAA.

On July 5, 2023, the Division distributed an Advanced Notice of Proposed Rulemaking (ANPR) to a wide range of stakeholders, including over 1,000 contacts representing impacted industry, institutions, government entities, manufacturers, distributors, and members of the general public. This ANPR served as an informal comment period for stakeholders and the general public to weigh in on the proposed rule prior to the start of official rulemaking. While the ANPR was open until September 5, 2023, the Division has continued to receive comments after that date in an effort to give stakeholders an ongoing opportunity to provide comment. To date, the Division has received 41 comments from a wide array of stakeholders, including a number of individuals representing yard care companies, and the general public. Comments received during the ANPR span a wide array of opinions, from concerns about the feasibility and costs associated with transitioning to electric equipment for commercial and institutional operators, to individuals urging the Division to act faster and expand the scope of the rule.

Recommendation: Staff recommends the Board approve R307-314, Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities, for a 30-day public comment period.

State of Utah
Administrative Rule Analysis
Revised May 2023

NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Title No. - Rule No. - Section No.

Rule or Section Number:

R307-314

Filing ID: Office Use Only

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City	
Mailing address:	PO BOX 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Ryan Bares	801-536-4216	rbares@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:

R307-314. Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities

3. Purpose of the new rule or reason for the change:

On October 7th, 2022, the U.S Environmental Protection Agency reclassified the Northern Wasatch Front Nonattainment Area (NAA) from marginal to moderate status for the 2015 8-hour ozone standard. As a result of the moderate classification, the state of Utah must identify and implement reductions of ozone precursor emissions, including Volatile Organic Compounds (VOCs), in the designated NAA area as part of its State Implementation Plan obligations under section 172(c)(2) of the Clean Air Act. Rule R307-314 will reduce summertime emissions of VOCs from 2-stroke engines associated with yard care activities in Davis, Salt Lake, Tooele, Utah, and Weber counties.

4. Summary of the new rule or change:

Rule R307-314 establishes limitations on the use of 2-stroke engines used in yard care applications on days when the 8-hour average ozone concentration is forecasted to reach or exceed 0.070 ppm, and a mandatory action period is subsequently issued. These restrictions will apply to Davis, Salt Lake, Tooele, Utah, and Weber counties on the days in which each respective county has a mandatory action day issued. The rule has a three-year implementation period, beginning with institutional operations on May 1, 2024, residential operations on May 1, 2025, and commercial operations including yard care companies on May 1, 2026. Individuals can comply with this rule through one of two pathways: 1) delaying operations requiring these engines until a later date when a mandatory action day is not issued, or 2) utilizing a zero-emission alternative such as electric tools.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

Beginning in the summer of 2024, institutional operators including the state of Utah and higher education organizations will be required to comply with this rule. While it is likely that many of these operations may switch to electric equipment in order to comply, it is unknown at this time what percentage of operators will switch and what the rate of that switch may be. Given that the percentage and rate of a potential switch to electric equipment is not known, impacts to state budgets are unknown at this time. Based on the best available data, the Utah Division of Air Quality (UDAQ) has determined that a theoretical cost range could be between: \$0.00 - \$1.95M for initial capital costs to state and local government (Section B) budgets combined. However, when accounting for the total lifetime costs of equipment, UDAQ has determined that switching to electric equipment

can result in a net savings over the lifespan of certain equipment, resulting in a cost range of \$0.00 to a net savings of \$7,271.

B) Local governments:

Beginning in the summer of 2024, institutional operators, including local governments, will be required to comply with this rule. While it is likely that many of these operations may switch to electric equipment in order to comply, it is unknown at this time what percentage of operators will switch and what the rate of that switch may be. Given that the percentage and rate of a potential switch to electric equipment is not known, impacts to local government budgets are unknown at this time. Based on the best available data, the UDAQ has determined that a theoretical cost range could be between: \$0.00 - \$1.95M for upfront capital costs to state and local government (section A) budgets combined. However, when accounting for the total lifetime costs of equipment, UDAQ determined that switching to electric equipment can result in a net savings over the lifespan of certain equipment. When accounting for the total lifetime cost of operations, UDAQ identified a substantially cost range of \$0.00 to a net savings of \$7,271.

C) Small businesses ("small business" means a business employing 1-49 persons):

Beginning in the summer of 2026, commercial operators, including small businesses, will be required to comply with this rule. While it is likely that many of these operations may switch to electric equipment in order to comply, it is unknown at this time what percentage of operators will switch and what the rate of that switch may be. Given that the percentage and rate of a potential switch to electric equipment is not known, fiscal impacts to small businesses are unknown at this time. Based on the best available data, the UDAQ has determined that a theoretical cost range to small businesses could be between \$0.00 - \$17.5M for initial costs. However, when accounting for the total lifetime costs of equipment, UDAQ has determined that switching to electric equipment can result in a net savings over the lifespan of certain equipment. When accounting for the total lifetime cost of operation, UDAQ has identified a cost range of \$0.00 to a net savings of \$654,477.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

Beginning in the summer of 2026, commercial operators, including non-small businesses, will be required to comply with this rule. While it is likely that many of these operations may switch to electric equipment in order to comply, it is unknown at this time what percentage of operators will switch and what the rate of that switch may be. Given that the percentage and rate of a potential switch to electric equipment is not known, impacts to non-small businesses are unknown at this time. However, the amount of equipment impacted by Rule R307-314 operated by non-small businesses is likely very limited and financial impacts small and would be included in the costs identified in section C of this form.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Beginning in the summer of 2025, residential operators, including persons other than small businesses, will be required to comply with this rule. While it is likely that many of these operations may switch to electric equipment in order to comply, it is unknown at this time what percentage of operators will switch and what the rate of that switch may be. It is likely that many of these stakeholders will comply with the rule by delaying impacted work until the mandatory action period is lifted, but percentages are unknown. Given that the percentage and rate of a potential switch to electric equipment is not known, fiscal impacts to other persons are unknown at this time. Based on the best available data, the UDAQ has determined that a theoretical cost range to other persons could be between \$0.00 - \$9.47M for initial capital costs. However, when accounting for the total lifetime costs of equipment, UDAQ has found switching to electric equipment can result in a net savings over the lifespan of certain equipment. When accounting for the total lifetime cost of operation, UDAQ has identified that this rule could result in a net cost savings to other persons that range from \$0.00 to \$264,813, representing a potential financial benefit to residential operators.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no known compliance costs since affected persons can comply by delaying work until the mandatory action period is lifted. If individuals or businesses opt to transition equipment to electric alternatives, there may be an upfront capital cost associated with the purchase of that equipment relative to a gas-powered alternative. However, depending on the equipment, operational parameters, and useful life of the equipment, these costs can vary widely from being a net savings to net cost to the operator. Given that the percentage of electric adoption, the rate of this adoption, and the large range in potential impacted equipment and its spectrum in associated costs, compliance costs cannot be measured at this time.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of Environmental Quality, Kim D. Shelley, has reviewed and approved this regulatory impact analysis.



Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	Clean Air Act Section 182(b)(1)(A)(i)	

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

8. 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. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 03/04/2024

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

Date (mm/dd/yyyy):	Time (hh:mm AM/PM):	Place (physical address or URL):
02/28/2024	3:00 PM	In Person: MASOB 195 N 1950 W Salt Lake City, UT 84116 Room 1015, First Floor
		For Virtual Attendance on Google:

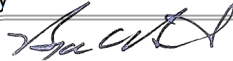
		<p>Public Hearing for R307-314 (3-4p.m.) Wednesday, February 28, 2024 · 3:00 – 4:00pm Time zone: America/Denver</p> <p>Google Meet joining info</p> <p>Video call link: https://meet.google.com/bnu-dwme-mqz Or dial: (US) +1 929-277-6167 PIN: 232 423 071# More phone numbers: https://tel.meet/bnu-dwme-mqz?pin=9173695903411</p>

To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.

9. This rule change MAY become effective on:	04/03/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

<p>To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> and delaying the first possible effective date.</p>		
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	Date: 12/11/2023



1 **R307. Environmental Quality, Air Quality.**

2
3 **R307-314. Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities.**

4 **R307-314-1. Purpose.**

5 This rule establishes limitations on the use or operation of two-stroke small off-road
6 engines associated with yard care activities. This rule is intended to reduce summertime
7 emissions of volatile organic compounds and oxides of nitrogen on high ozone days.
8

9 **R307-314-2. Applicability.**

10 This rule applies to any person who operates two-stroke small off-road engines associated
11 with yard care activities in the Davis, Salt Lake, Tooele, Utah, or Weber counties. Limitations on
12 the use of small off-road engines shall be in effect when the director issues and distributes a public
13 announcement to the local media notification that a mandatory action period is in effect. The
14 mandatory action period shall apply to counties identified in Section R307-314-2 where the 8-hour
15 average of ozone concentrations are forecasted to reach or exceed 0.070 ppm in the next 24 to 72
16 hours.
17

18 **R307-314-3. Definitions.**

19 The following definitions apply to this rule:

20
21 “Commercial” means for-profit establishments such as hotels, restaurants, stores, and yard
22 care businesses.
23

24 “Chainsaw” means a portable power-driven cutting tool with teeth set on a chain that
25 rotates around the edge of a bar or blade.
26

27 “Hedge trimmer” means a tool used for trimming or pruning hedges or shrubs.
28

29 “Institutional” means not-for-profit establishments such as medical centers, research
30 centers, institutions of higher education, elementary and secondary schools, libraries, religious
31 establishments, and governmental institutions.
32

33 “Yard care” means operations associated with providing care to yards and landscape
34 including the health and appearance of the turf, lawn, trees, bushes, vegetation, or soil.
35

36 “Leaf blower” means a tool that generates and expels a current of air out of a nozzle to
37 move debris such as leaves, dust, or grass cuttings that is typically a self-contained handheld unit
38 with an engine or motor mounted above a tube or nozzle, or a backpack mounted unit with a
39 handheld wand.
40

41 “Mandatory action period” means a period when forecasted or actual air quality impairment
42 triggers additional regulatory requirements.
43

44 “Residential” means:

45 (1) a dwelling containing four or fewer families; or

46 (2) a single unit residence dwelling that has since been converted or sub-divided into
47 condominiums or apartments.

1
2 “Small off-road engine” means a spark-ignition engine rated at or below 19 kilowatts, or
3 25 horsepower.
4

5 “State of Emergency” means a declaration of emergency or major disaster in the state by the
6 president of the United States or by the governor under
7

8 Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act.
9

10 “Tiller” means a tool used for secondary tillage of soils by disturbing soils through the
11 process of piercing the ground with rotating blades.
12

13 “Trimmer” means a tool for cutting grass, weeds, or groundcover using a rotating
14 monofilament line or a blade, which protrudes from a rotating spindle at the end of a shaft topped
15 by an engine or motor.
16

17 “Two-stroke” means an internal combustion engine that completes a power cycle with two
18 strokes of the piston during one power cycle, with the power cycle being completed in one
19 revolution of the crankshaft.
20

21 **R307-314-4. Limitations on Use of Two-Stroke Small Off-Road Engines and Yard Care**
22 **Equipment Powered by These Engines.**

23 During mandatory action periods as defined in Section R307-314-3, no person shall
24 cause, allow, or permit the use of small off-road 2-stroke engines for yard care purposes
25 including: trimmers, tillers, leaf blowers, hedge trimmers, and chainsaws, except:
26

- 27 (1) for the use of chainsaws greater than six horsepower; or
28 (2) during a declared state of emergency, provided the use of such equipment is needed to
29 aid in clean-up or repair of impacted areas.
30

31 **R307-314-5. Recordkeeping.**

32 This rule is not subject to any recordkeeping requirements.
33

34 **R307-314-6. Compliance Schedule.**

35 The compliance schedule for this rule shall begin on:

- 36 (1) May 1, 2024 for institutional yard care activities; and
37 (2) May 1, 2025 for residential yard care activities; and
38 (3) May 1, 2026 for commercial yard care activities.
39

40 **KEY: air pollution, volatile organic compounds, VOC, nitrogen oxides, NOx, lawn equipment,**
41 **yard equipment, two-stroke, leaf blower, trimmer, edger, tiller, hedge trimmer, ozone, small off-**
42 **road engines, chainsaw**

43 **Date of Enactment or Last Substantive Amendment: Authorizing, and Implemented or**
44 **Interpreted Law: 19-2-104**

ITEM 5



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-100-23

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Erica Pryor, Rules Coordinator

FROM: Ryan Bares, Environmental Scientist

DATE: December 21, 2023

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend R307-130. General Penalty Policy.

In parallel with the previous agenda item, R307-314, Limitations on Use of Two-Stroke Small Off-Road Engines in Yard Care Activities, the Division of Air Quality is proposing minor amendments to R307-130, General Penalty Policy.

The amendments inserts an explicit reference for violations of R307-314 into the rule R307-130, General Penalty Policy, to provide clarity and consistency for the enforcement of R307-314, should it be adopted; and also specifies that violations of R307-314 would be considered a Category D violation, thus representing a “minor” violation.

Recommendation: Staff recommends the Board approve the amendments to Rule R307-130, General Penalty Policy, for a 30-day public comment period.

State of Utah
Administrative Rule Analysis
Revised May 2023

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Title No. - Rule No. - Section No.

Rule or Section Number:

R307-130

Filing ID: Office Use Only

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	SLC, UT 84116	
Mailing address:	PO BOX 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Ryan Bares	801-536-4216	rbares@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R307-130. General Penalty Policy.
3. Purpose of the new rule or reason for the change:
The Division of Air Quality is proposing revisions to R307-130 in parallel with the proposal of new rule R307-314. The proposed changes will impact Rule R307-130 by adding a new specified violation under Category D violations.
4. Summary of the new rule or change:
The amendments will update the Division of Air Quality penalty policy specifically under Subsection R307-130-2(4)(d) by adding new language in parallel with the upcoming Rule R307-314. This filing will specify that violations and fees associated with enforcement of Rule R307-314 will be considered explicit Category D violations within R307-130.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The proposed amendments to R307-130 are not expected to have any fiscal impact on state budgets as these amendments solely provide clarity for enforcement expectations with parallel rule making.
B) Local governments:
The proposed amendments to R307-130 are not expected to have any fiscal impact on the local government budgets as these amendments solely provide clarity for enforcement expectations with parallel rule making.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed amendments to R307-130 are not expected to have any fiscal impact on small businesses as these amendments solely provide clarity for enforcement expectations with parallel rule making.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed amendments to R307-130 are not expected to have any fiscal impact on non-small businesses as these amendments solely provide clarity for enforcement expectations with parallel rule making.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed amendments to R307-130 are not expected to have any fiscal impact on other persons as these amendments solely provide clarity for enforcement expectations with parallel rule making.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

The proposed amendments to R307-130 are not expected to have associated compliance costs for affected persons as these amendments solely provide clarity for enforcement expectations for parallel rule making.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of Environmental Quality, Kim D. Shelley, has reviewed and approved this regulatory impact analysis.



Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	42 U.S.C. Sec. 7511a(b)(1)(A)(i)	

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

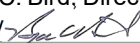
Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

8. 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. See Section 63G-3-302 and Rule R15-1 for more information.)		
A) Comments will be accepted until:		03/04/2024
B) A public hearing (optional) will be held:		
Date (mm/dd/yyyy):	Time (hh:mm AM/PM):	Place (physical address or URL):
No public hearing required		
To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.		

9. This rule change MAY become effective on:	04/03/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> and delaying the first possible effective date.		
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality 	Date: 12/11/2023

1 **R307. Environmental Quality, Air Quality.**

2 **R307-130. General Penalty Policy.**

3 **R307-130-1. Scope.**

4 This policy provides guidance to the director in negotiating with air pollution sources
5 penalties for consent agreements to resolve non-compliance situations. It is designed to be
6 used to determine a reasonable and appropriate penalty for the violations based on the nature
7 and extent of the violations, consideration of the economic benefit to the sources of non-
8 compliance, and adjustments for specific circumstances.

9
10 **R307-130-2. Categories.**

11 Violations are grouped in four general categories based on the potential for harm and the
12 nature and extent of the violations.

13 Penalty ranges for each category are listed.

14 (1) Category A. \$7,000-10,000 per day:

15 Violations with high potential for impact on public health and the environment including:

16 (a) Violation of emission standards and limitations of NESHAP.

17 (b) Emissions contributing to nonattainment area or PSD increment exceedences.

18 (c) Emissions resulting in documented public health effects and/or environmental damage.

19 (2) Category B. \$2,000-7,000 per day.

20 Violations of the Utah Air Conservation Act, applicable State and Federal regulations, and
21 orders to include:

22 (a) Significant levels of emissions resulting from violations of emission limitations or other
23 regulations which are not within Category

24 A.

25 (b) Substantial non-compliance with monitoring requirements.

26 (c) Significant violations of approval orders, compliance orders, and consent agreements not
27 within Category A.

28 (d) Significant and/or knowing violations of "notice of intent" and other notification
29 requirements, including those of NESHAP.

30 (e) Violations of reporting requirements of NESHAP.

31 (3) Category C. Up to \$2,000 per day.

32 Minor violations of the Utah Air Conservation Act, applicable State and Federal
33 Regulations and orders having no significant public

34 health or environmental impact to include:

35 (a) Reporting violations

36 (b) Minor violations of monitoring requirements, orders and agreements

37 (c) Minor violations of emission limitations or other regulatory requirements.

38 (4) Category D. Up to \$299.00.

39 Violations of specific provisions of R307 which are considered minor to include:

40 (a) Violation of automobile emission standards and requirements

41 (b) Violation of wood-burning regulations by private individuals

42 (c) Open burning violations by private individuals[.]; and

43 (d) Use of 2-stroke small off-road yard care engines on mandatory action days.

44
45 **R307-130-3. Adjustments.**

46 The amount of the penalty within each category may be adjusted and/or suspended in part
47 based upon the following factors:

48 (1) Good faith efforts to comply or lack of good faith. Good faith takes into account the

1 openness in dealing with the violations, promptness in correction of problems, and the degree of
2 cooperation with the State to include accessibility to information and the amount of State effort
3 necessary to bring the source into compliance.

4 (2) Degree of wilfulness and/or negligence. In assessing wilfulness and/or negligence,
5 factors to be considered include how much control the violator had over and the foreseeability of
6 the events constituting the violation, whether the violator made or could have made reasonable
7 efforts to prevent the violation, and whether the violator knew of the legal requirements which
8 were violated.

9 (3) History of compliance or non-compliance. History of non-compliance includes
10 consideration of previous violations and the resource costs to the State of past and current
11 enforcement actions.

12 (4) Economic benefit of non-compliance. The amount of economic benefit to the source
13 of non-compliance would be added to any penalty amount determined under this policy.

14 (5) Inability to pay. An adjustment downward may be made or a delayed payment
15 schedule may be used based on a documented inability of the source to pay.

16
17 **R307-130-4. Options.**

18 Consideration may be given to suspension of monetary penalties in trade-off for
19 expenditures resulting in additional controls and/or emissions reductions beyond those required to
20 meet existing requirements. Consideration may be given to an increased amount of suspended
21 penalty as a deterrent to future violations where appropriate.

22
23 **KEY: air pollution, penalty**

24 **Date of Last Change: July 13, 2007**

25 **Notice of Continuation: December 1, 2021**

26 **Authorizing, and Implemented or Interpreted Law: 19-2-104; 19-2-115**

ITEM 6

1 January 3, 2024

2

3

4 Re: Urgent need for additional FTEs to identify, apply for, and administer federal awards

5

6

7 Inadequate Staffing for Federal Discretionary Funds

8

9 There are unprecedented levels of discretionary federal funding available through the
10 recently enacted Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction
11 Act (IRA) that is available to address air quality related issues. A cursory look completed
12 by the Division of Air Quality (DAQ) has identified over \$40 billion in available IRA funds
13 through the US EPA. This total does not include funding available through other
14 agencies, or funding from the IIJA.

15

16 Based on relative population size, and contribution to the nation's GDP, it would be
17 expected that an equitable distribution of funding would result in Utah receiving
18 approximately 1% of available discretionary federal funds. In the case of the \$40 billion in
19 EPA funding identified by DAQ, this would equate to approximately \$400MM in funding
20 that can be used to address health and environmental challenges facing the state.

21

22 Unfortunately, Utah is not well-positioned to obtain funding at levels anywhere near this
23 amount. An assessment of the amount of personnel that is required to obtain and
24 administer this collective magnitude of awards indicates current staffing at the
25 Department of Environmental Quality (DEQ), and other relevant state agencies, is
26 inadequate.¹

27

28 Discretionary funds can be an important tool to help control, abate and prevent elevated
29 levels of outdoor air pollution. It can also assist our state in meeting obligations under
30 federal air quality guidelines. Failure to meet federal standards not only impacts public
31 health,² it may also compromise our state's ability to undertake future transportation
32 projects.³

33

34 Recommendation to Budget Additional FTE's Focused on Federal Discretionary Awards

35

36 We recommend that the Governor's budget be amended to include a commitment to fund
37 multiple additional FTEs for personnel dedicated to identifying, preparing applications for,
38 and administering discretionary federal funding. While we do not provide a specific
39 number of personnel needed in our recommendation, we note that it would be difficult to
40 over-invest in this area, even if dozens of new and existing staff were assigned to this

1 role. Not only will there be a manyfold return on investment for each additional FTE, but
2 the costs of the added personnel can be directly covered as an administrative expense in
3 successfully competed awards.

4
5 We would also note that the cross-cutting nature of many of the funding categories
6 requires broad engagement across multiple state agencies and organizations. For
7 example, a current EPA solicitation seeks to better protect children's health through
8 infrastructure investments at, or near, schools. This not only includes providing funding
9 for upgrades to filtration and ventilation systems at school buildings, or purchasing
10 cleaner-operating school buses, but may also include investments in safe streets
11 programs that address transportation infrastructure such as sidewalks, crosswalks, or
12 pedestrian bridges. In this one example, there would need to be some level of
13 coordination by officials at the State Board of Education, Department of Environmental
14 Quality, Department of Transportation, and the relevant metropolitan planning
15 organizations.

16
17 New FTEs should be assigned to units that can most easily work across the many
18 relevant state agencies in order to maximize the number, and positive impact, of awards
19 that are received by the state.

20
21 Signed,
22 [name] [board]

¹ The Grants/Incentives Section of the Division of Air Quality currently has four staff members with a plan to transfer an employee from another section to bring the total number of staff to five.

² It was recently estimated that outdoor air pollution in Utah, based on current air pollution levels that are above recommended limits, results in 107 excess deaths, 11,000 major cardiovascular and respiratory morbidities (e.g., hospital admissions, emergency department visits, etc.) and 750,000 adversely impacted days (e.g., days of missed work or school) every year. These adverse health impacts are largely attributable to elevated ozone concentrations which regularly exceed federal air quality standards in many parts of the state. Cromar K, Gladson L, Gohlke J, Li Y, Tong D, Ewart G. Adverse Health Impacts of Outdoor Air Pollution, including from Wildland Fires, in the United States: "Health of the Air," 2018-2020. *Ann Am Thorac Soc.* 2023 Oct 31. doi: 10.1513/AnnalsATS.202305-455OC. Epub ahead of print. PMID: 37906164.

³ If more aggressive actions are not taken to address ambient ozone concentrations, it is possible that federal transportation dollars may be restricted in future years.

ITEM 7

Air Toxics



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-643-23

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: November 6, 2023

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – October 2023

Asbestos Demolition/Renovation NESHAP Inspections	24
Asbestos AHERA Inspections	23
Asbestos State Rules Only Inspections	2
Asbestos Notification Forms Accepted	163
Asbestos Telephone Calls	283
Asbestos Individuals Certifications Approved	193
Asbestos Company Certifications	10
Asbestos Alternate Work Practices Approved	7
Lead-Based Paint (LBP) Inspections	1
LBP Notification Forms Approved	0
LBP Telephone Calls	47
LBP Letters Prepared and Mailed	0
LBP Courses Reviewed/Approved	0
LBP Course Audits	0
LBP Individual Certifications Approved	19
LBP Firm Certifications	14

DAQA-643-23

Page 2

Notices of Violation Sent	0
Compliance Advisories Sent	5
Warning Letters Sent	6
Settlement Agreements Finalized	1

Penalties Agreed to:

America West Investments, Inc/Daniel Brett	1,200.00
--	----------



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-717-23

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: December 5, 2023

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – November 2023

Asbestos Demolition/Renovation NESHAP Inspections	18
Asbestos AHERA Inspections	19
Asbestos State Rules Only Inspections	3
Asbestos Notification Forms Accepted	119
Asbestos Telephone Calls	250
Asbestos Individuals Certifications Approved	24
Asbestos Company Certifications	5
Asbestos Alternate Work Practices Approved	1
Lead-Based Paint (LBP) Inspections	1
LBP Notification Forms Approved	0
LBP Telephone Calls	37
LBP Letters Prepared and Mailed	15
LBP Courses Reviewed/Approved	0
LBP Course Audits	1
LBP Individual Certifications Approved	13
LBP Firm Certifications	8

Notices of Violation Sent	0
Compliance Advisories Sent	5
Warning Letters Sent	3
Settlement Agreements Finalized	4

Penalties Agreed to:

Greenway Industries/Miguel Valdez	\$7,875.00
Turners Demolition Company/Cody Turner	\$1,320.00
Brigham Young University/Matt Giles	\$6,075.00
Impact Demolition/AJ Kim	<u>\$250.00</u>
Total:	\$15,520.00

Compliance



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-1241-23

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: November 8, 2023

SUBJECT: Compliance Activities – October 2023

ACTIVITIES:

Activity	Monthly Total	36-Month Average
Inspections	28	57
On-Site Stack Test & CEM Audits	11	4
Stack Test & RATA Report Reviews	49	34
Emission Report Reviews	20	16
Temporary Relocation Request Reviews	7	6
Fugitive Dust Control Plan Reviews	115	132
Soil Remediation Report Reviews	0	1
Open Burn Permits Issued	1,323	373
Miscellaneous Inspections ¹	11	18
Complaints Received	5	16
Wood Burning Complaints Received	2	2
Breakdown Reports Received	1	1
Compliance Actions Resulting from a Breakdown	0	0
VOC Inspections	0	0
Warning Letters Issued	3	2
Notices of Violation Issued	0	0
Compliance Advisories Issued	7	5
No Further Action Letters Issued	4	2
Settlement Agreements Reached	1	2
Penalties Assessed	\$5,600.00	\$127,169.78

¹Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

SETTLEMENT AGREEMENTS:

Party	Amount
HF Sinclair Woods Cross Refining	\$5,600.00

UNRESOLVED NOTICES OF VIOLATION:

Party	Date Issued
Citation Oil and Gas (in administrative litigation)	01/15/2020
Ovintiv Production Inc.	07/14/2020
Uinta Wax Operating (formerly CH4 Finley)	07/24/2020
Finley Resources	09/15/2022



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-1318-23

MEMORANDUM

TO: Air Quality Board
FROM: Bryce C. Bird, Executive Secretary
DATE: December 6, 2023
SUBJECT: Compliance Activities – November 2023

ACTIVITIES:

Activity	Monthly Total	36-Month Average
Inspections	80	58
On-Site Stack Test & CEM Audits	6	4
Stack Test & RATA Report Reviews	26	35
Emission Report Reviews	22	16
Temporary Relocation Request Reviews	3	7
Fugitive Dust Control Plan Reviews	90	131
Soil Remediation Report Reviews	4	1
Open Burn Permits Issued	322	418
Miscellaneous Inspections ¹	12	17
Complaints Received	13	15
Wood Burning Complaints Received	10	2
Breakdown Reports Received	1	1
Compliance Actions Resulting from a Breakdown	0	0
VOC Inspections	0	0
Warning Letters Issued	2	2
Notices of Violation Issued	0	0
Compliance Advisories Issued	5	5
No Further Action Letters Issued	1	2
Settlement Agreements Reached	2	2
Penalties Assessed	\$1,637.00	\$127,089.34

¹Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

SETTLEMENT AGREEMENTS:

Party	Amount
Staker Parson – South Weber Pit	\$1,166
Granite Construction – Talons Cove	\$471

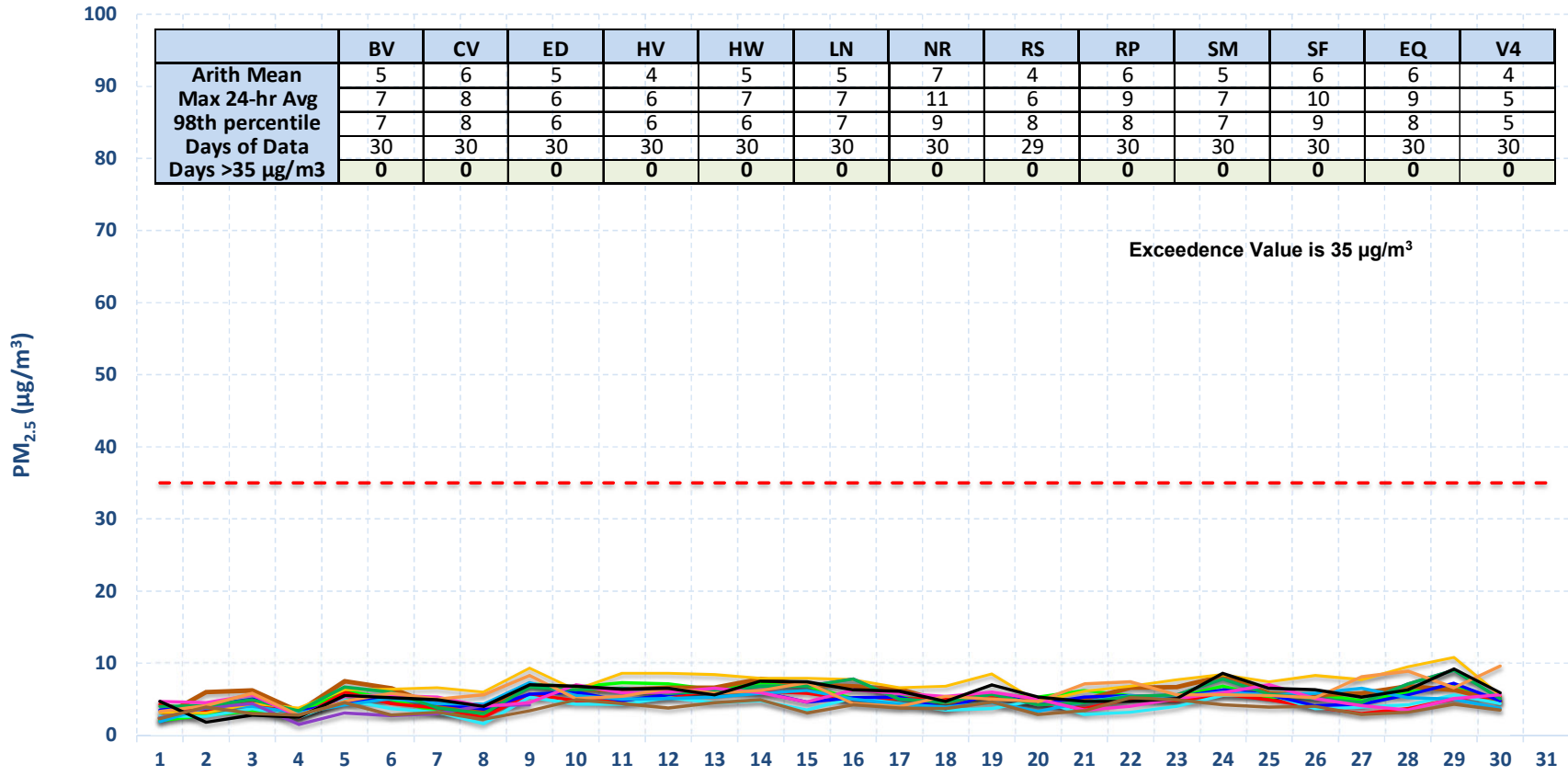
UNRESOLVED NOTICES OF VIOLATION:

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Ovintiv Production Inc.	07/14/2020
Uinta Wax Operating (formerly CH4 Finley)	07/24/2020
Finley Resources	09/15/2022

Air Monitoring

Utah 24-Hr PM_{2.5} Data September 2023

	BV	CV	ED	HV	HW	LN	NR	RS	RP	SM	SF	EQ	V4
Arith Mean	5	6	5	4	5	5	7	4	6	5	6	6	4
Max 24-hr Avg	7	8	6	6	7	7	11	6	9	7	10	9	5
98th percentile	7	8	6	6	6	7	9	8	8	7	9	8	5
Days of Data	30	30	30	30	30	30	30	29	30	30	30	30	30
Days >35 µg/m ³	0	0	0	0	0	0	0	0	0	0	0	0	0

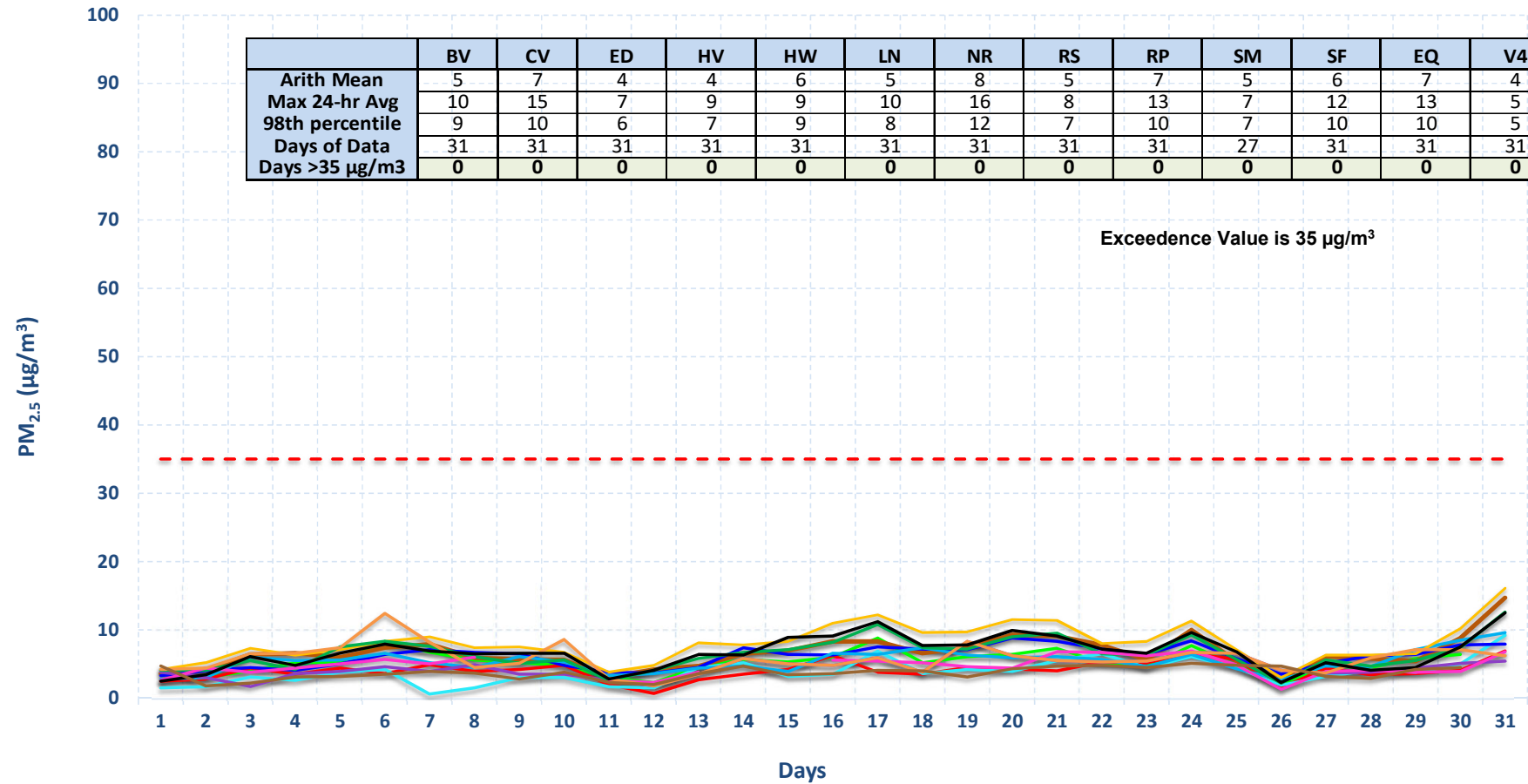


- Bountiful
- Copperview
- Erda
- Harrisville
- Hawthorne
- Lindon
- Near Road
- Roosevelt
- Rose Park
- Smithfield
- Spanish Fork
- Environmental Quality *
- - - 24-hr Exceedance Value is 35 µg/m³

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-Hr PM_{2.5} Data October 2023

	BV	CV	ED	HV	HW	LN	NR	RS	RP	SM	SF	EQ	V4
Arith Mean	5	7	4	4	6	5	8	5	7	5	6	7	4
Max 24-hr Avg	10	15	7	9	9	10	16	8	13	7	12	13	5
98th percentile	9	10	6	7	9	8	12	7	10	7	10	10	5
Days of Data	31	31	31	31	31	31	31	31	31	27	31	31	31
Days >35 µg/m ³	0	0	0	0	0	0	0	0	0	0	0	0	0

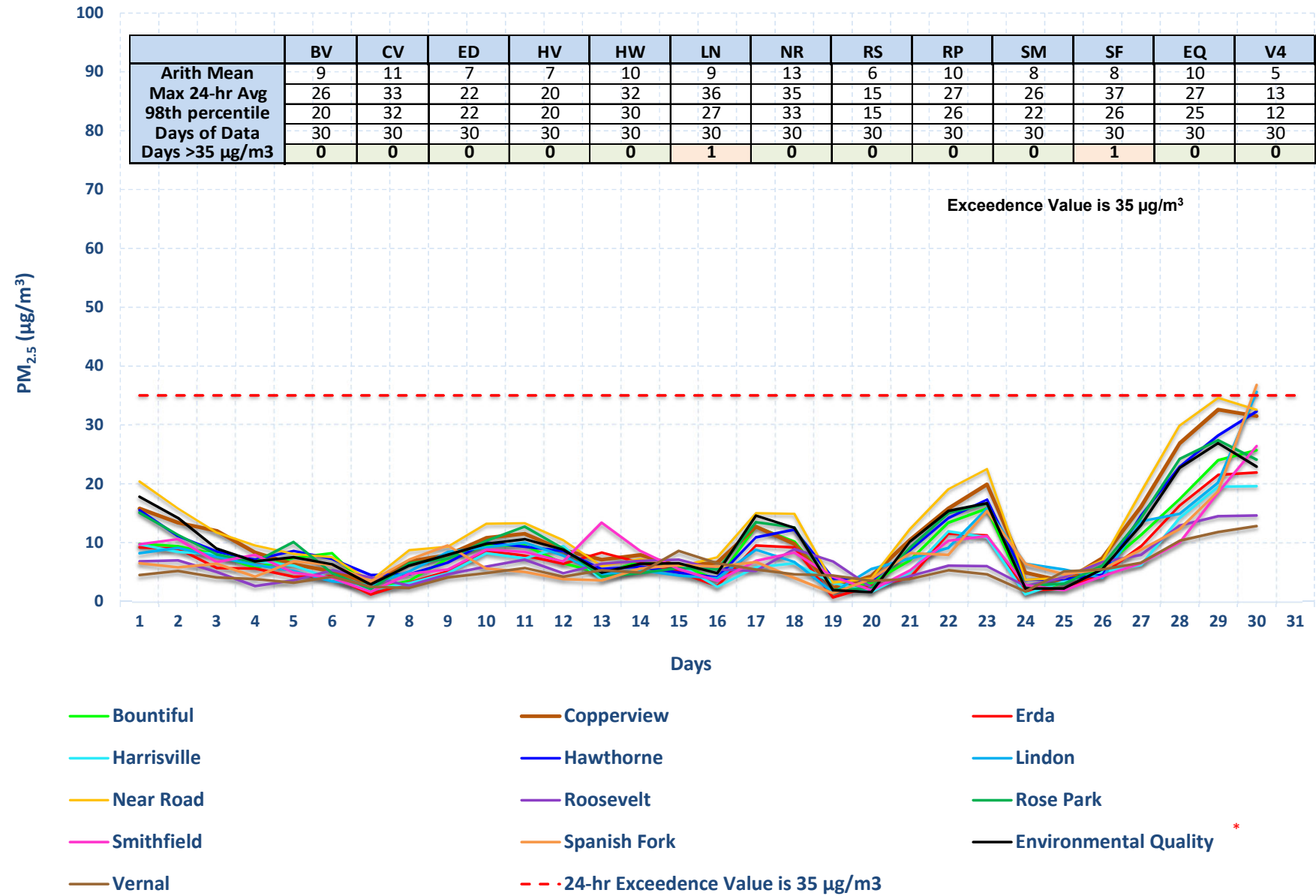


- Bountiful
- Copperview
- Erda
- Harrisville
- Hawthorne
- Lindon
- Near Road
- Roosevelt
- Rose Park
- Smithfield
- Spanish Fork
- Environmental Quality *
- - - 24-hr Exceedence Value is 35 µg/m³

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-Hr PM_{2.5} Data November 2023

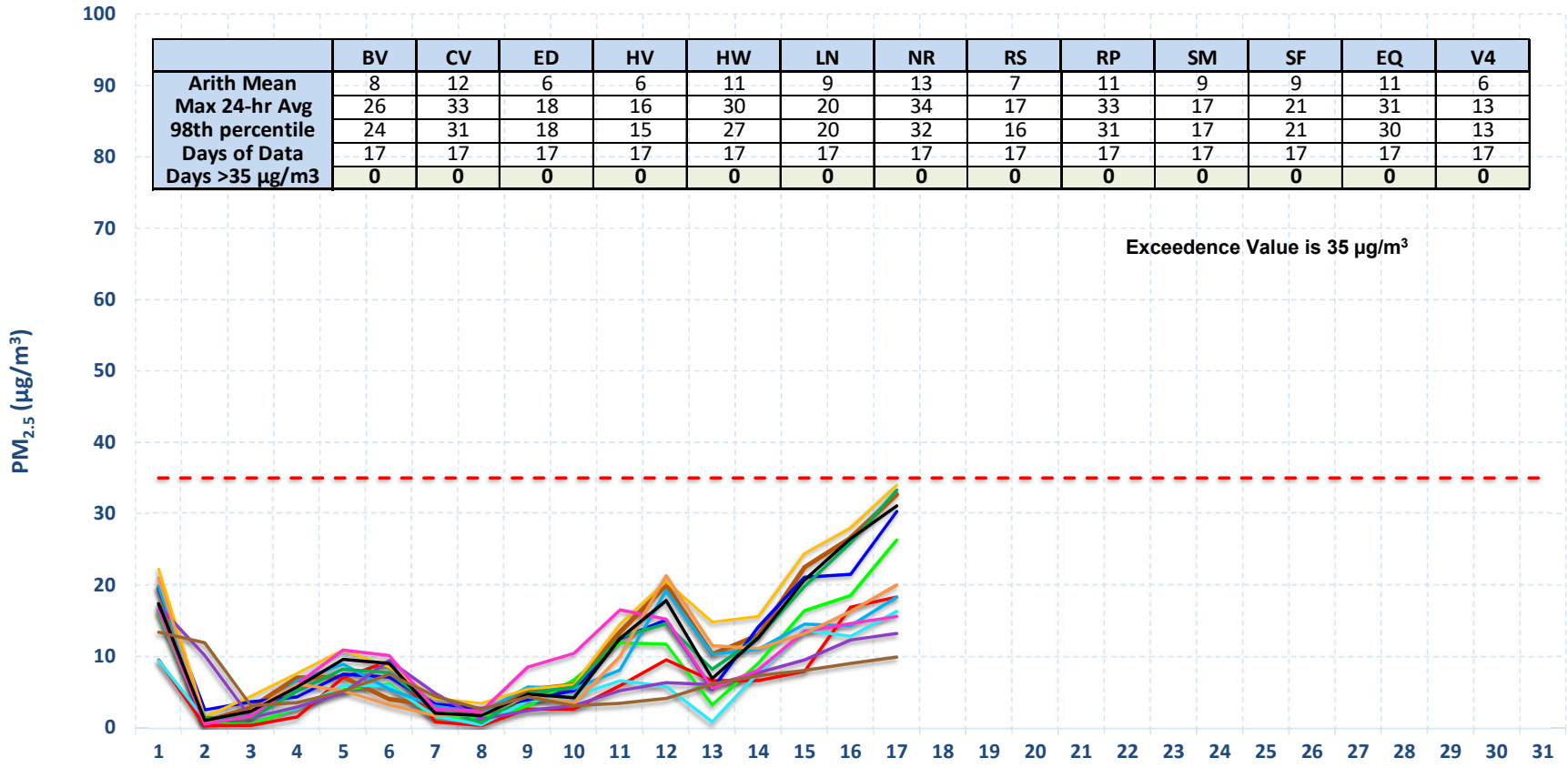
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Arith Mean	9	11	7	7	10	9	13	6	10	8	8	10	5
Max 24-hr Avg	26	33	22	20	32	36	35	15	27	26	37	27	13
98th percentile	20	32	22	20	30	27	33	15	26	22	26	25	12
Days of Data	30	30	30	30	30	30	30	30	30	30	30	30	30
Days >35 µg/m ³	0	0	0	0	0	1	0	0	0	0	1	0	0



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-Hr PM_{2.5} Data December 2023

	BV	CV	ED	HV	HW	LN	NR	RS	RP	SM	SF	EQ	V4
Arith Mean	8	12	6	6	11	9	13	7	11	9	9	11	6
Max 24-hr Avg	26	33	18	16	30	20	34	17	33	17	21	31	13
98th percentile	24	31	18	15	27	20	32	16	31	17	21	30	13
Days of Data	17	17	17	17	17	17	17	17	17	17	17	17	17
Days >35 µg/m ³	0	0	0	0	0	0	0	0	0	0	0	0	0

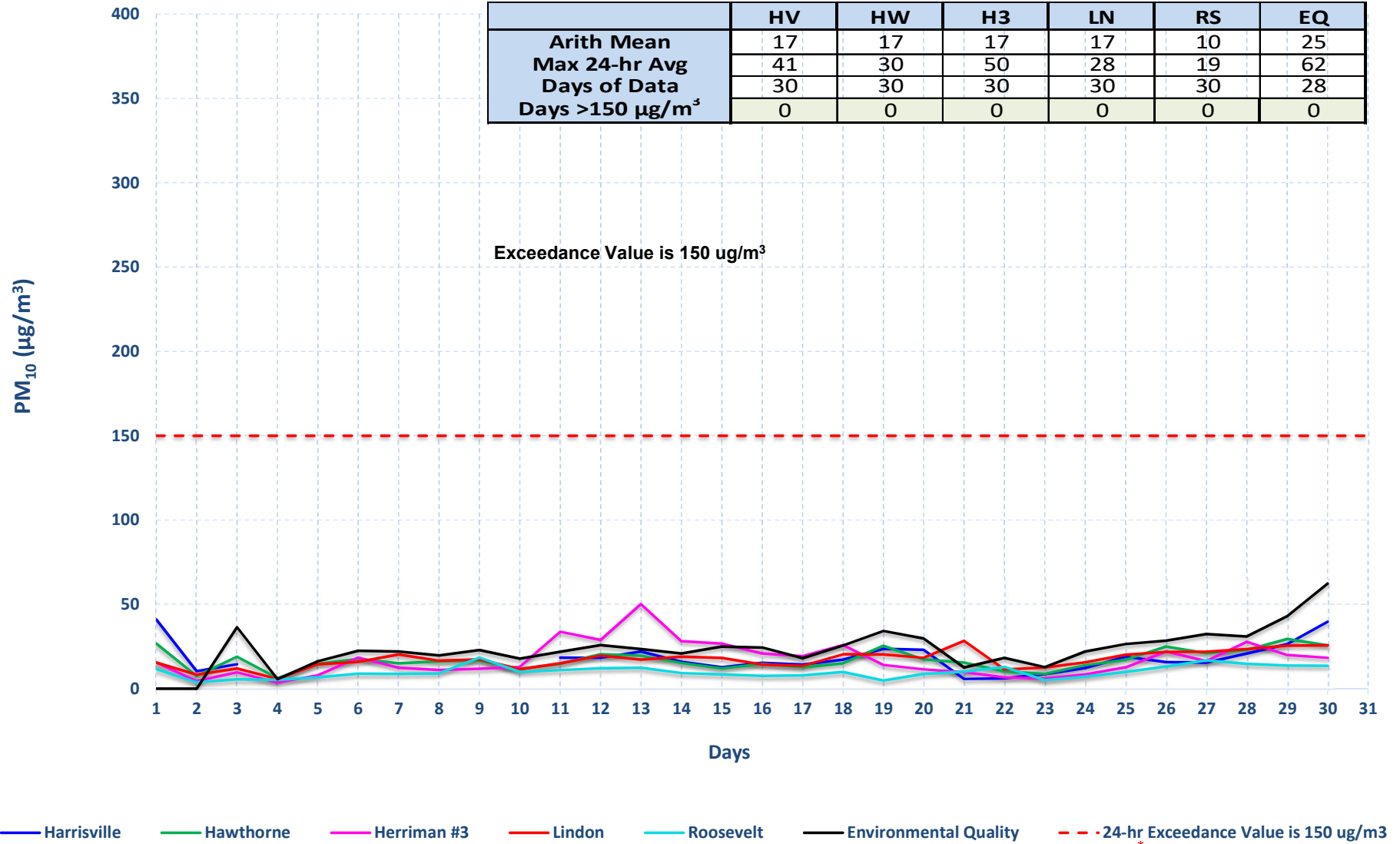


- Bountiful
- Copperview
- Erda
- Harrisville
- Hawthorne
- Lindon
- Near Road
- Roosevelt
- Rose Park
- Smithfield
- Spanish Fork
- Environmental Quality *
- Vernal
- - - 24-hr Exceedence Value is 35 µg/m³

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-hr PM₁₀ Data September 2023

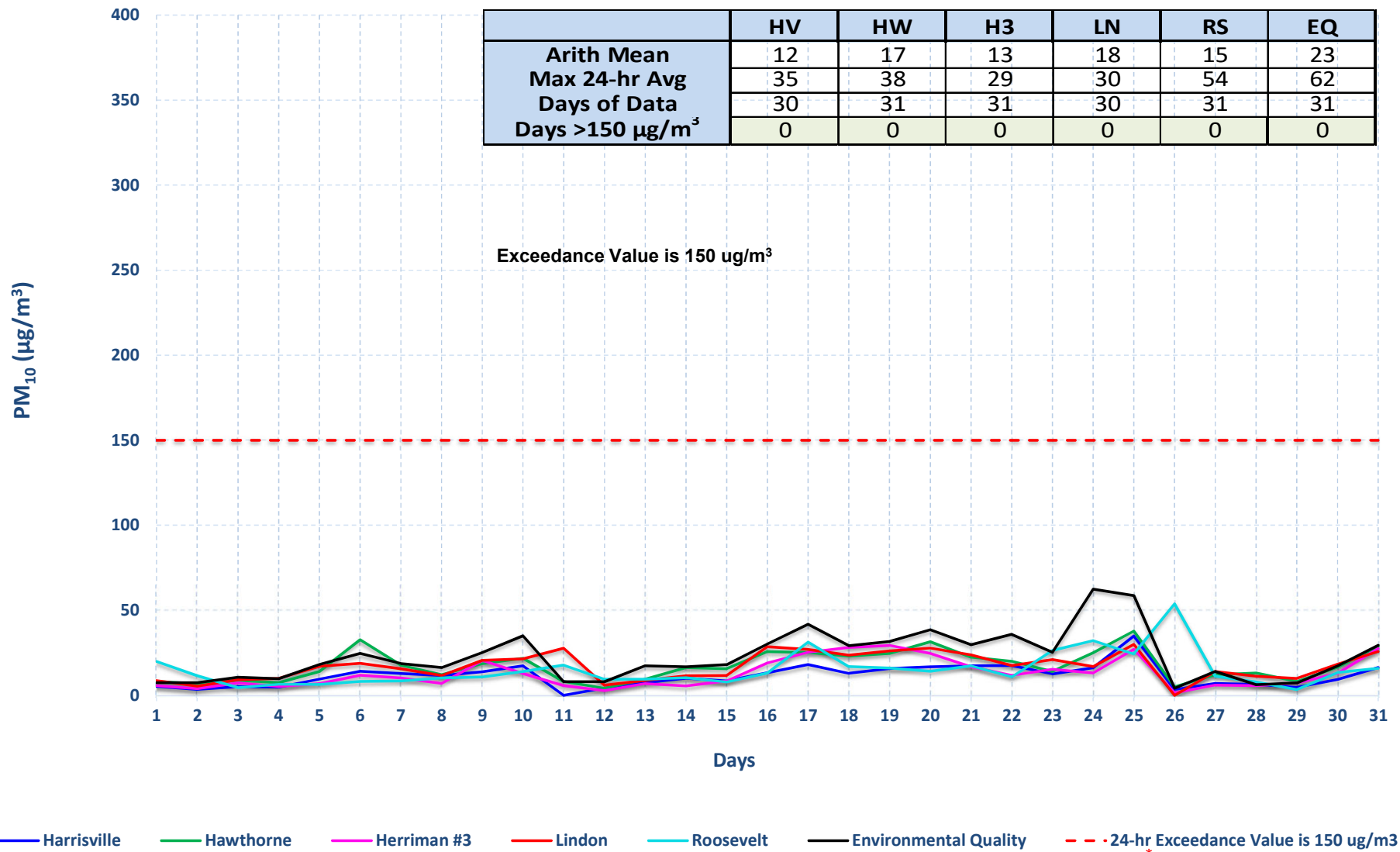
	HV	HW	H3	LN	RS	EQ
Arith Mean	17	17	17	17	10	25
Max 24-hr Avg	41	30	50	28	19	62
Days of Data	30	30	30	30	30	28
Days >150 µg/m ³	0	0	0	0	0	0



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-hr PM₁₀ Data October 2023

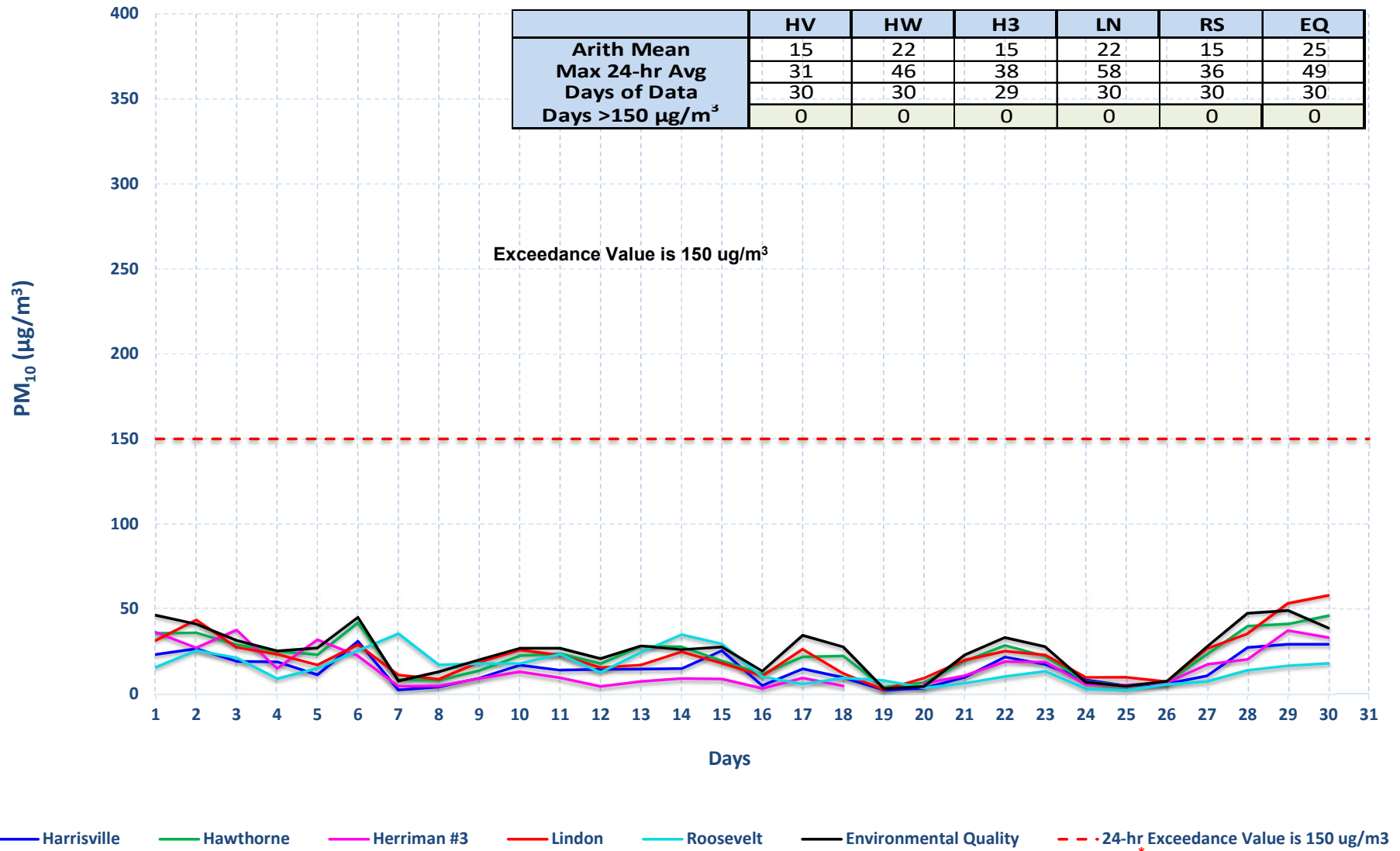
	HV	HW	H3	LN	RS	EQ
Arith Mean	12	17	13	18	15	23
Max 24-hr Avg	35	38	29	30	54	62
Days of Data	30	31	31	30	31	31
Days >150 µg/m ³	0	0	0	0	0	0



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

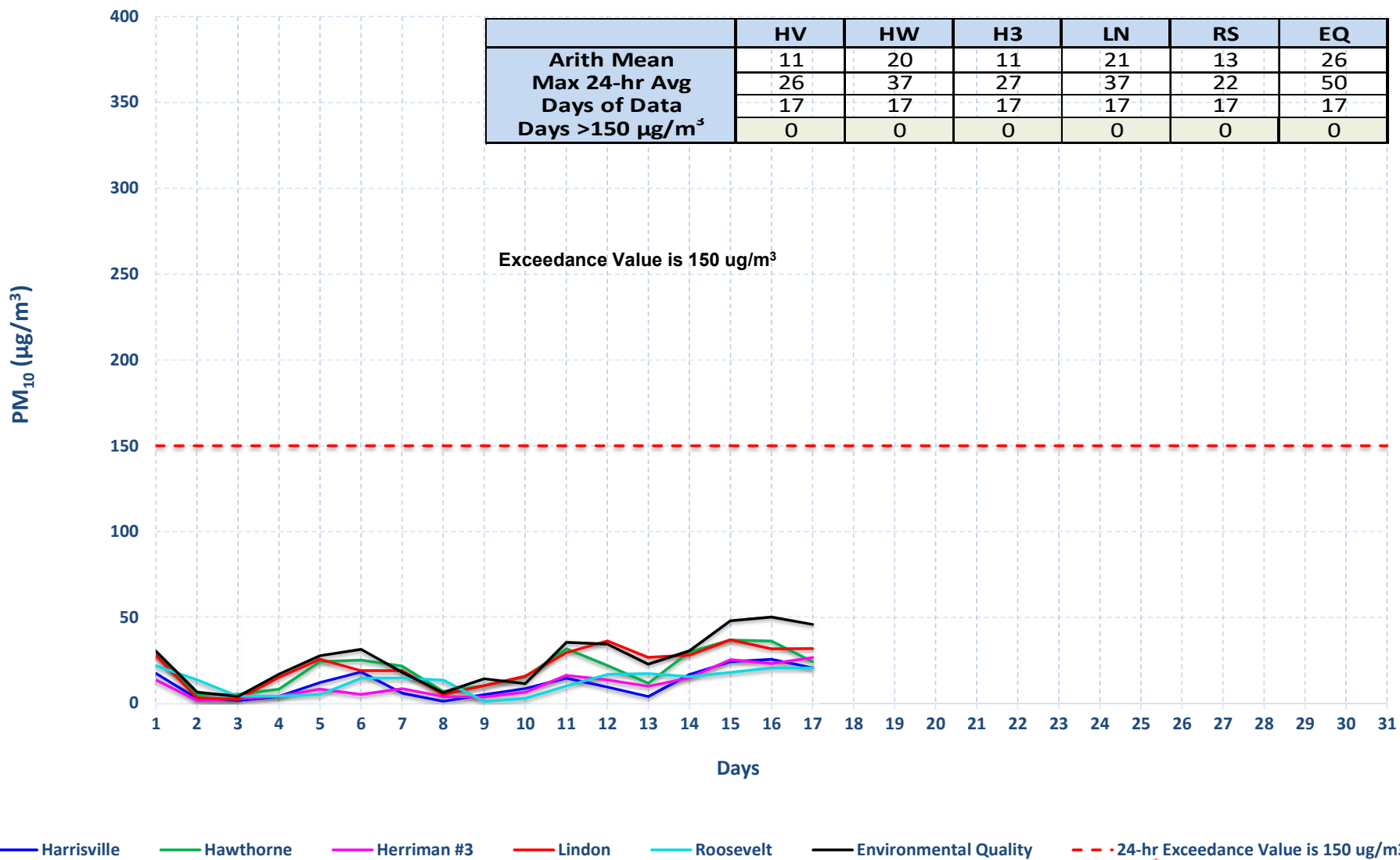
Utah 24-hr PM₁₀ Data November 2023

	HV	HW	H3	LN	RS	EQ
Arith Mean	15	22	15	22	15	25
Max 24-hr Avg	31	46	38	58	36	49
Days of Data	30	30	29	30	30	30
Days >150 µg/m ³	0	0	0	0	0	0



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

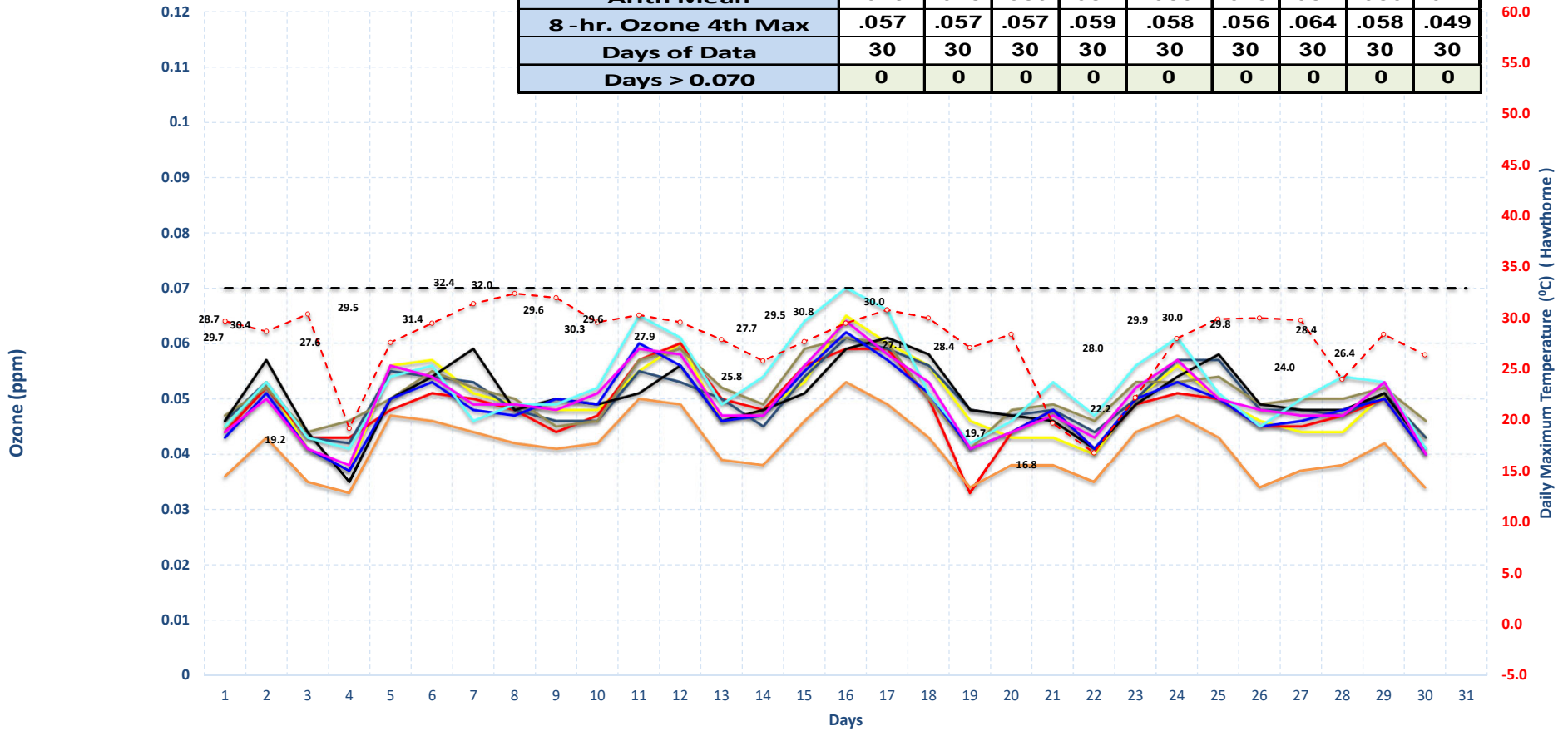
Utah 24-hr PM₁₀ Data December 2023



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2023

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.049	.048	.050	.051	.050	.049	.052	.050	.041
8-hr. Ozone 4th Max	.057	.057	.057	.059	.058	.056	.064	.058	.049
Days of Data	30	30	30	30	30	30	30	30	30
Days > 0.070	0	0	0	0	0	0	0	0	0



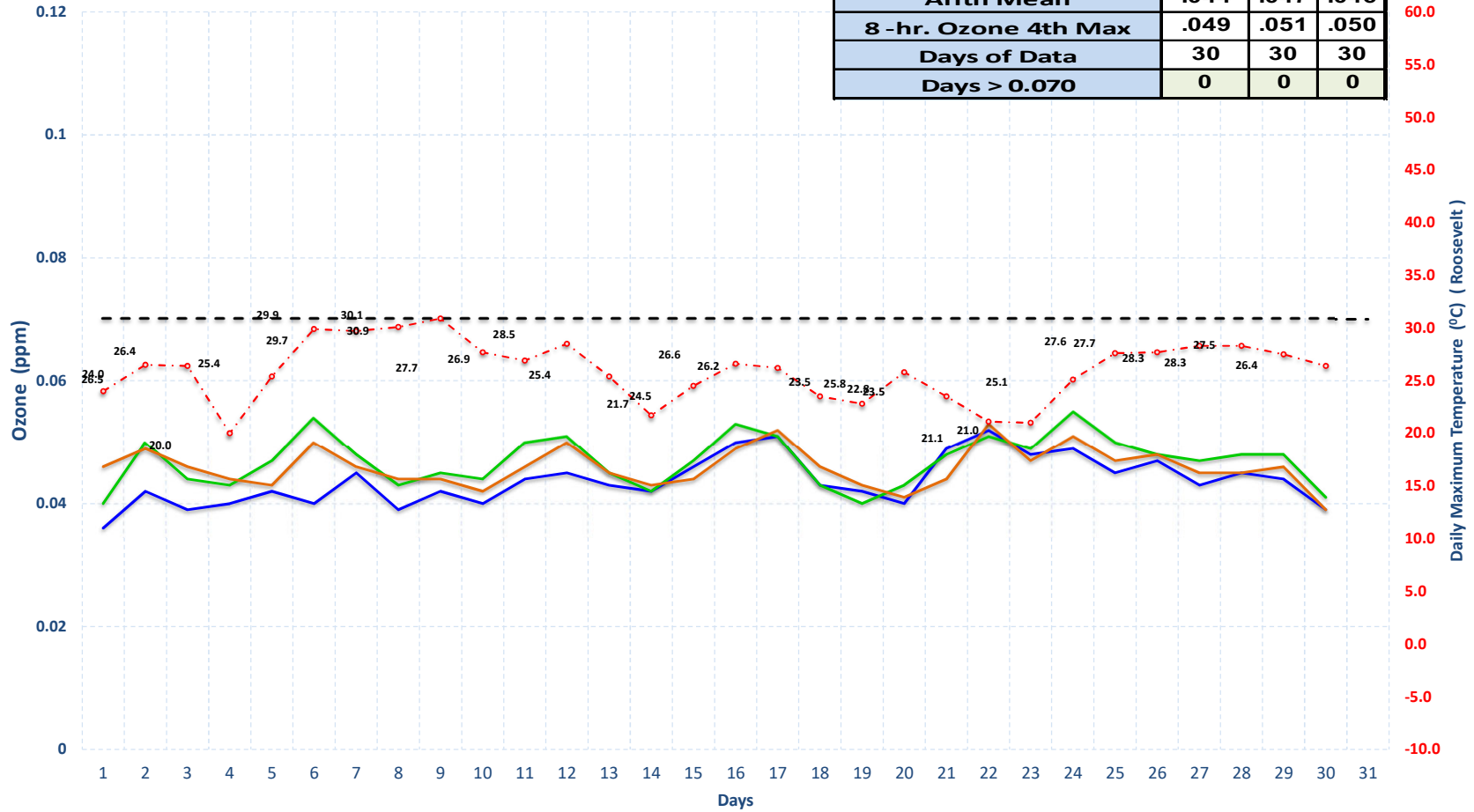
— Bountiful
 — Copperview
 — Erda
 — Herriman #3
 — Harrisville
 — Hawthorne
 — Near Road
 — Rose Park
 — Environmental Quality
 - - - Exceed.
 - - o - - TM

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2023

	P2	RS	V4
Arith Mean	.044	.047	.046
8-hr. Ozone 4th Max	.049	.051	.050
Days of Data	30	30	30
Days > 0.070	0	0	0



— Price #2

— Roosevelt

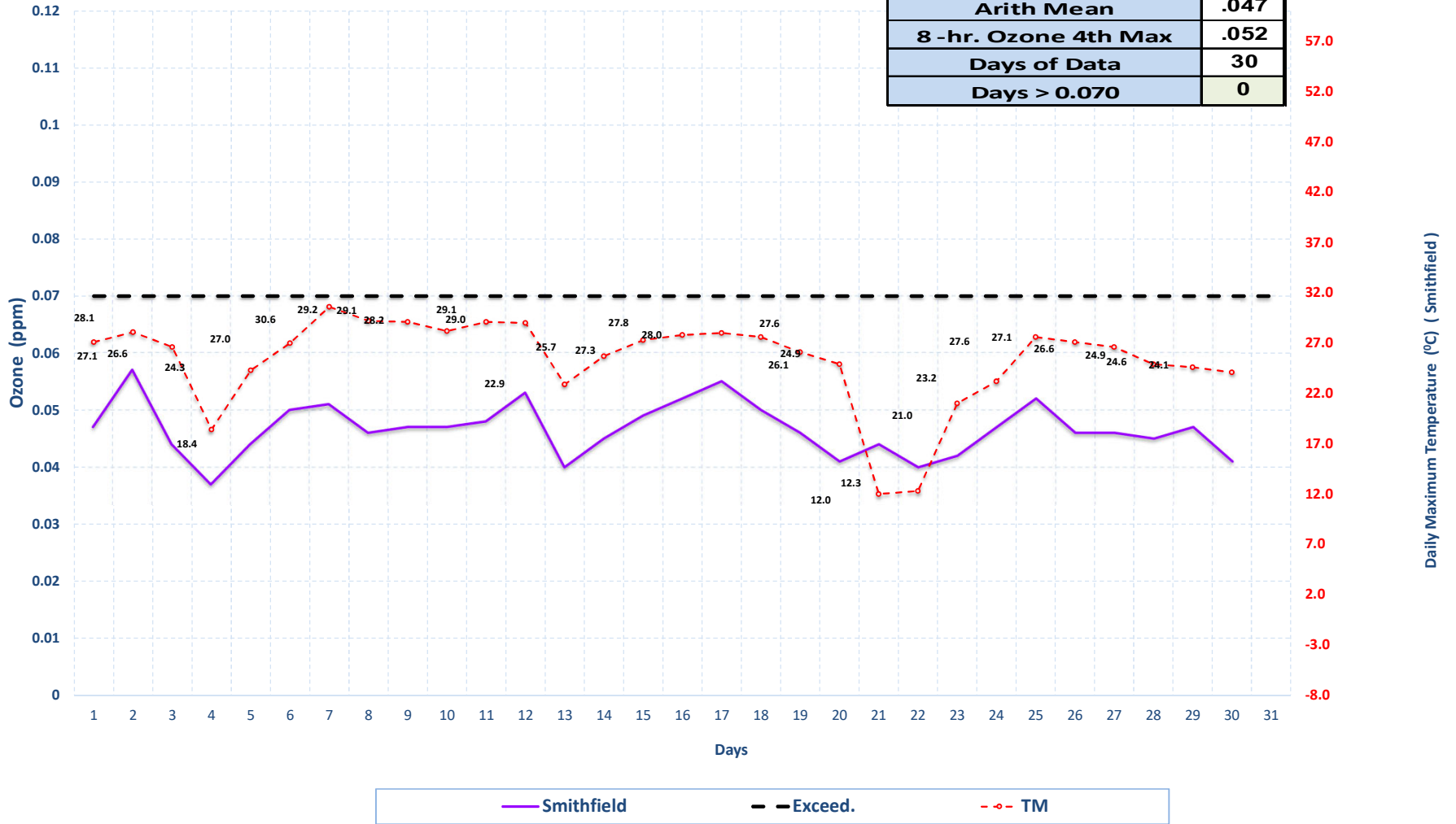
— Vernal #4

- - - Exceed.

- - - TM

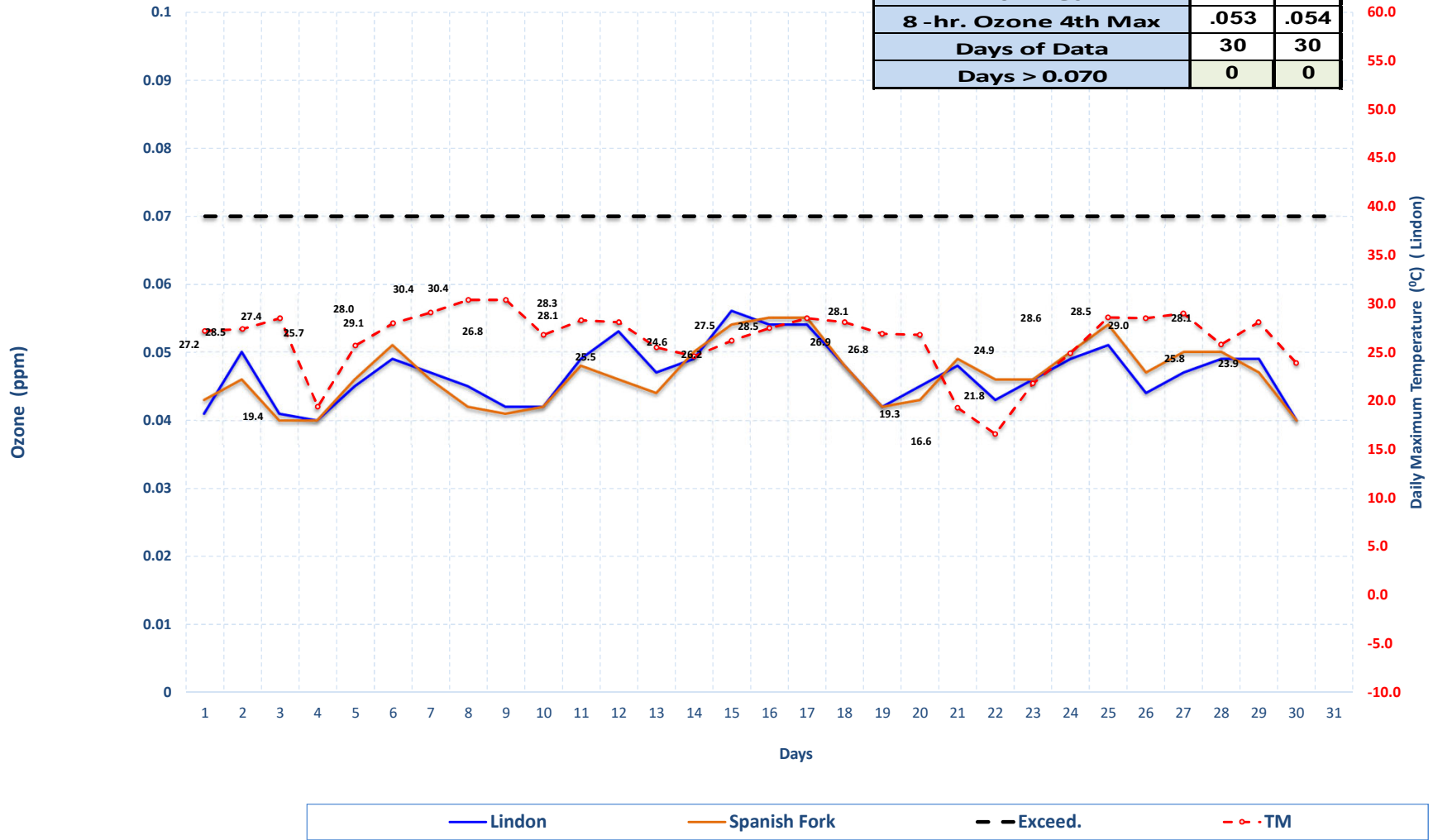
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2023

	SM
Arith Mean	.047
8-hr. Ozone 4th Max	.052
Days of Data	30
Days > 0.070	0



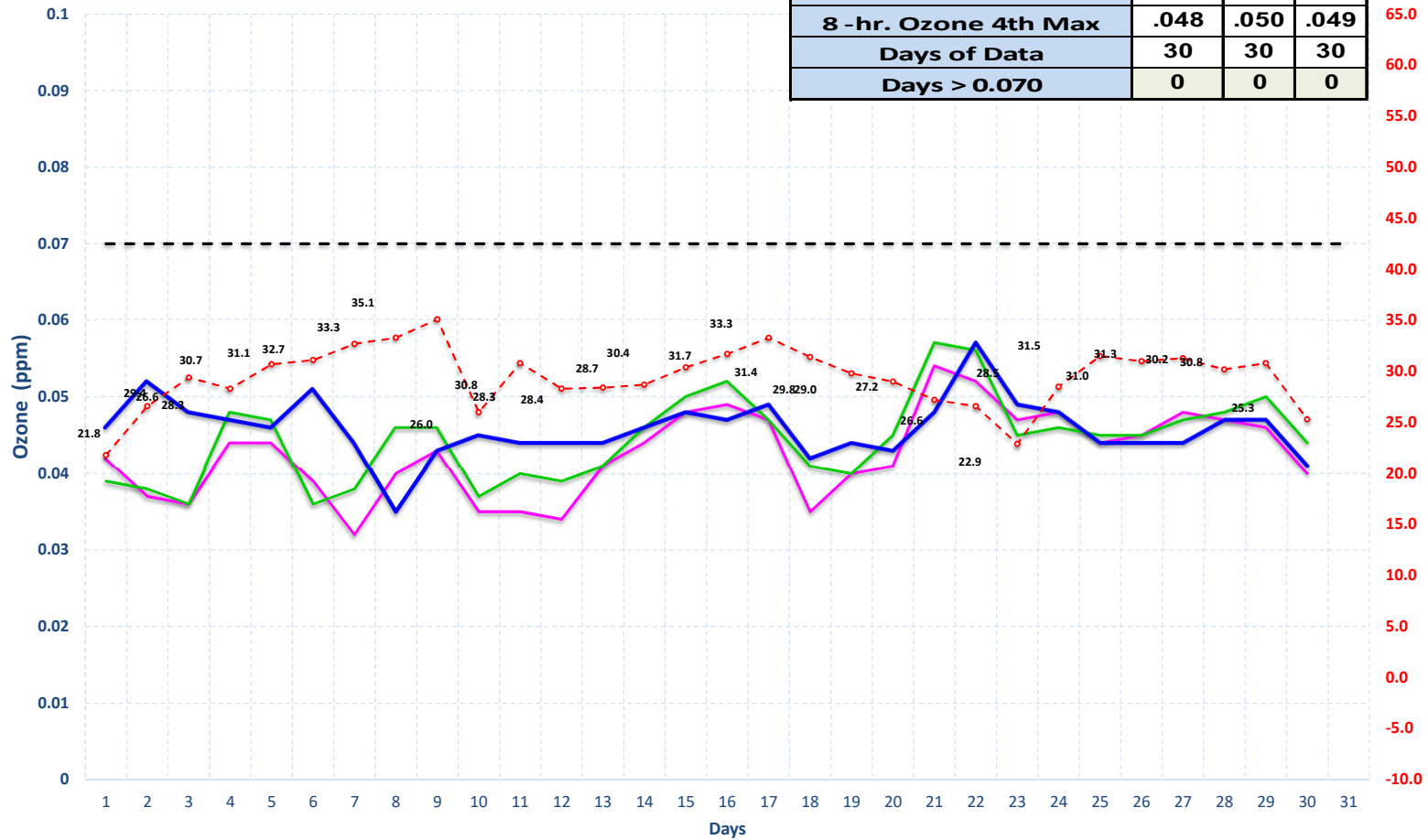
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2023

	LN	SF
Arith Mean	.047	.047
8-hr. Ozone 4th Max	.053	.054
Days of Data	30	30
Days > 0.070	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2023

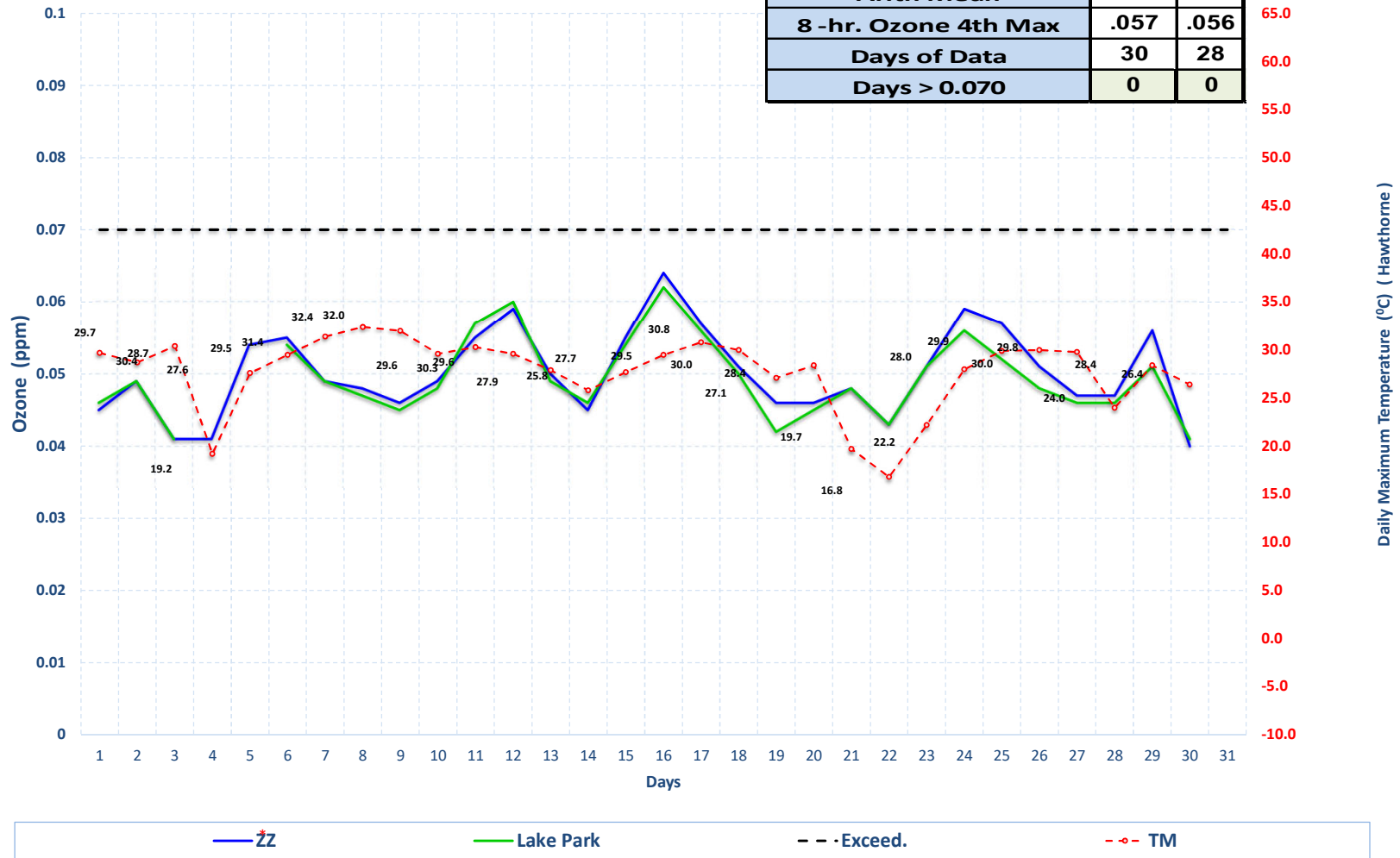
	EN	HC	M7
Arith Mean	.043	.045	.046
8-hr. Ozone 4th Max	.048	.050	.049
Days of Data	30	30	30
Days > 0.070	0	0	0



Daily Maximum Temperature (°C) (Hurricane)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2023 Stations monitoring the Inland Port development

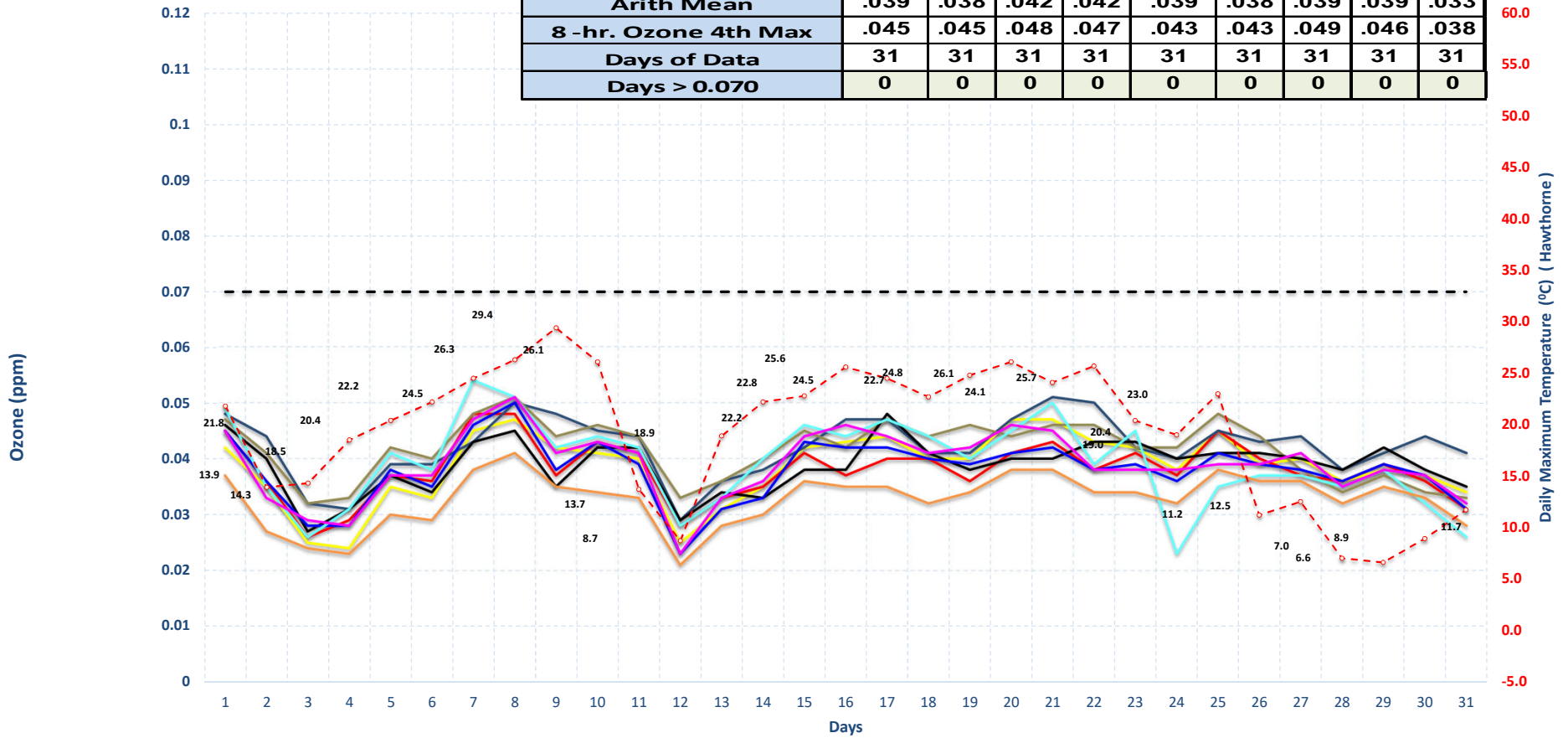
	ZZ	LP
Arith Mean	.050	.049
8 -hr. Ozone 4th Max	.057	.056
Days of Data	30	28
Days > 0.070	0	0



* ZZ is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named IP

Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2023

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.039	.038	.042	.042	.039	.038	.039	.039	.033
8-hr. Ozone 4th Max	.045	.045	.048	.047	.043	.043	.049	.046	.038
Days of Data	31	31	31	31	31	31	31	31	31
Days > 0.070	0	0	0	0	0	0	0	0	0



**

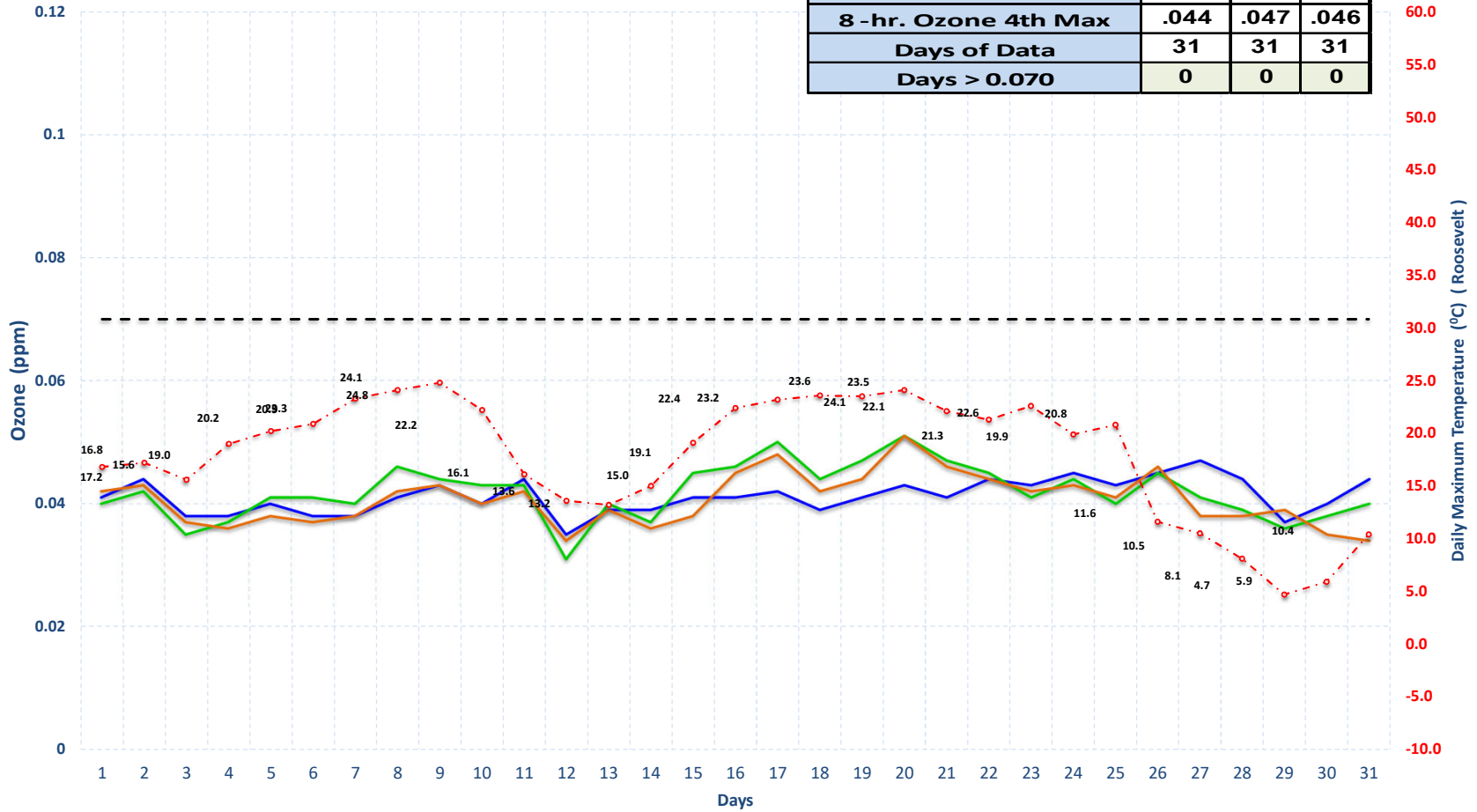
— Bountiful
 — Copperview
 — Erda
 — Herriman #3
 — Harrisville
 — Hawthorne
 — Near Road
 — Rose Park
 — Environmental Quality
 - - Exceed.
 - -◇- TM

*

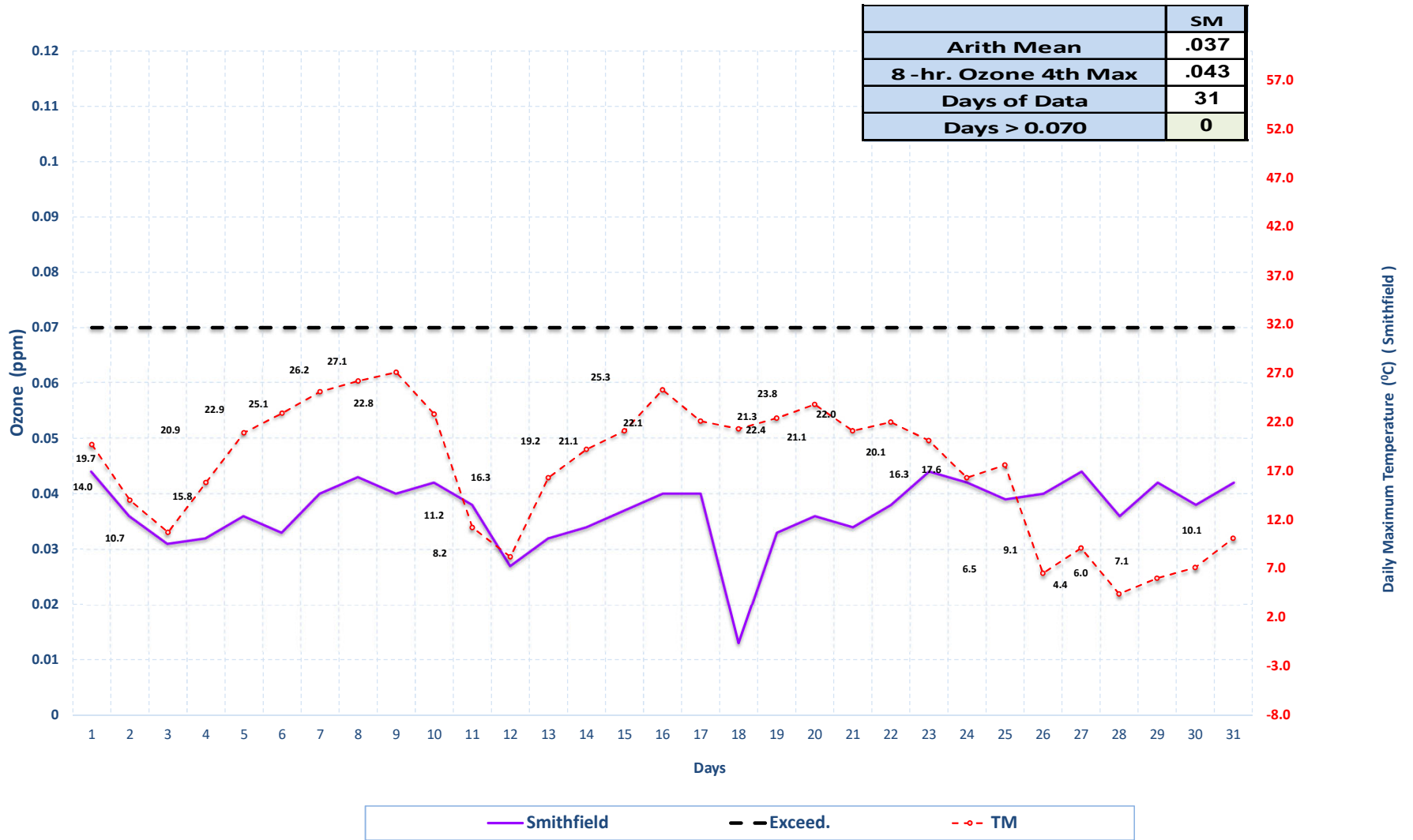
* Environmental Quality (EQ) previously named Technical Support Center (TSC)
 ** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2023

	P2	RS	V4
Arith Mean	.041	.042	.041
8 -hr. Ozone 4th Max	.044	.047	.046
Days of Data	31	31	31
Days > 0.070	0	0	0

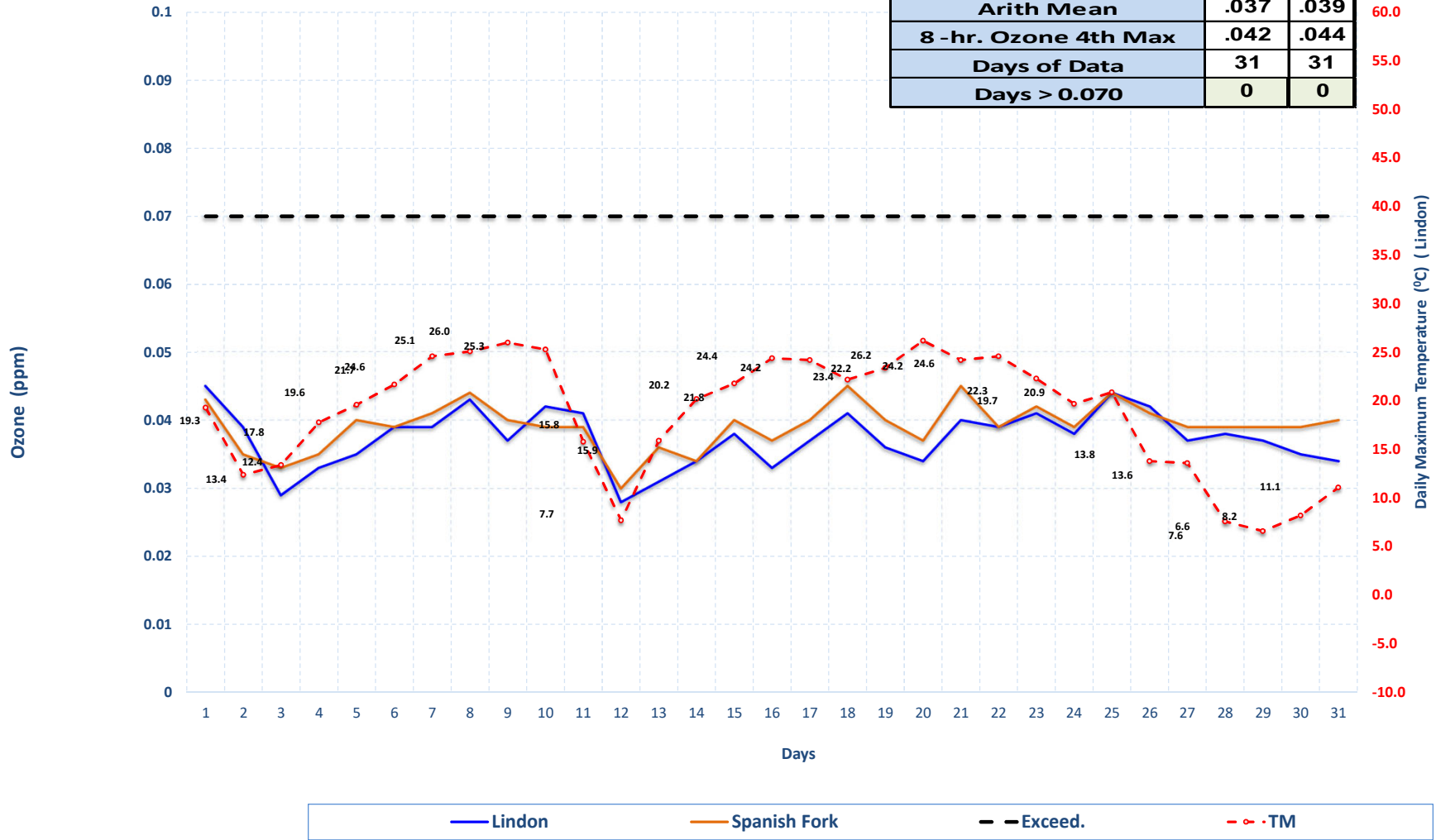


Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2023



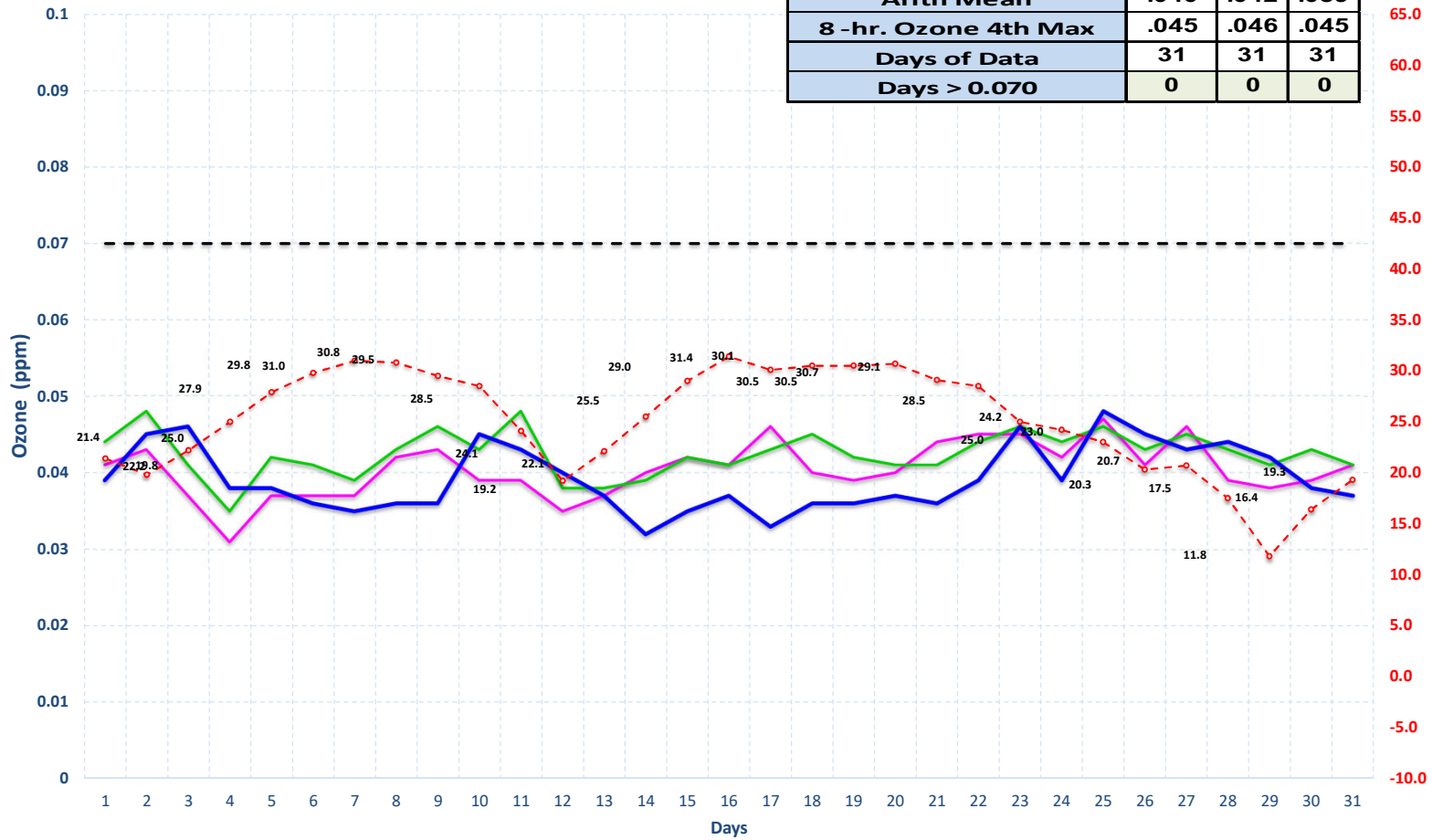
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2023

	LN	SF
Arith Mean	.037	.039
8-hr. Ozone 4th Max	.042	.044
Days of Data	31	31
Days > 0.070	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2023

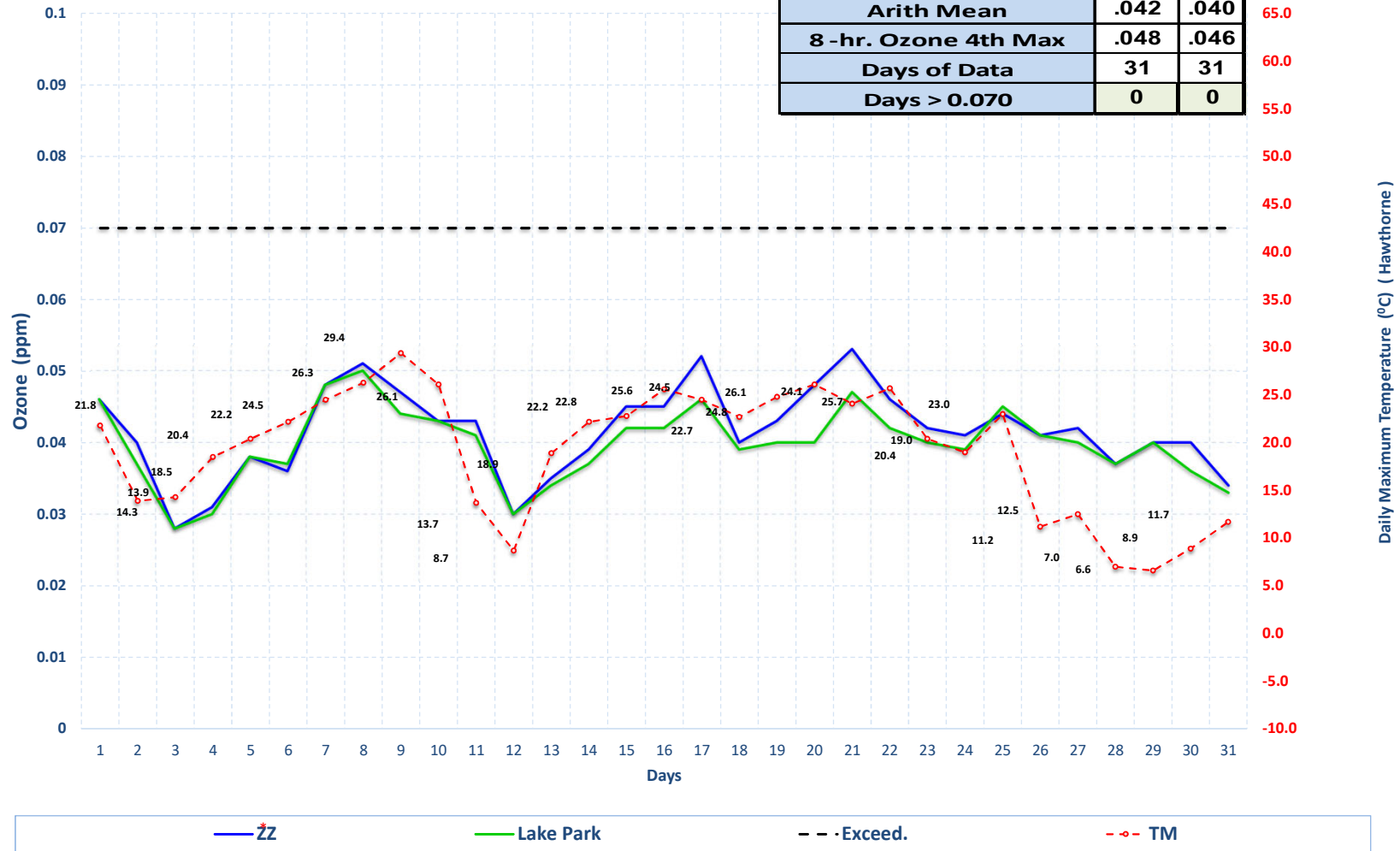
	EN	HC	M7
Arith Mean	.040	.042	.039
8-hr. Ozone 4th Max	.045	.046	.045
Days of Data	31	31	31
Days > 0.070	0	0	0



Daily Maximum Temperature (°C) (Hurricane)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2023 Stations monitoring the Inland Port development

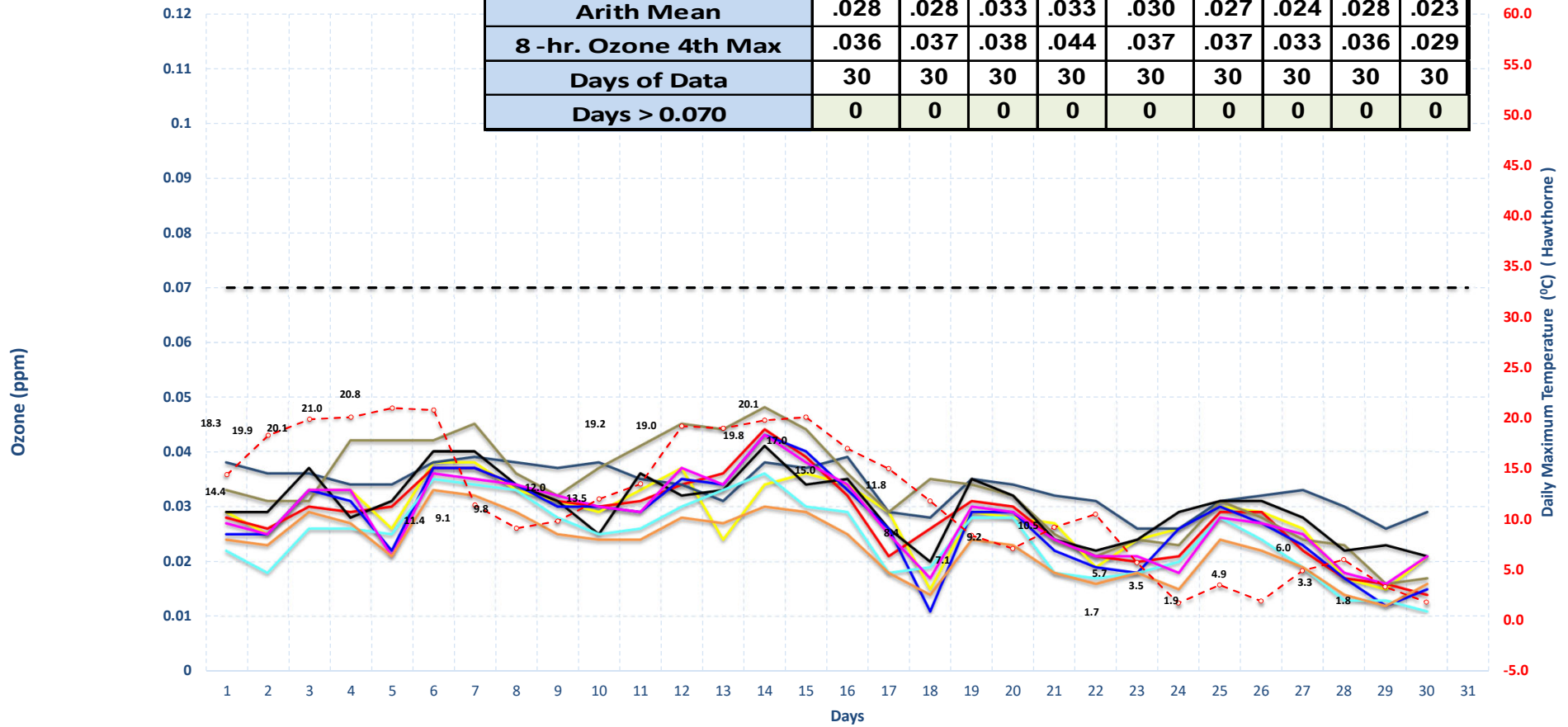
	ZZ	LP
Arith Mean	.042	.040
8-hr. Ozone 4th Max	.048	.046
Days of Data	31	31
Days > 0.070	0	0



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This site was previously named IP

Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2023

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.028	.028	.033	.033	.030	.027	.024	.028	.023
8-hr. Ozone 4th Max	.036	.037	.038	.044	.037	.037	.033	.036	.029
Days of Data	30	30	30	30	30	30	30	30	30
Days > 0.070	0	0	0	0	0	0	0	0	0



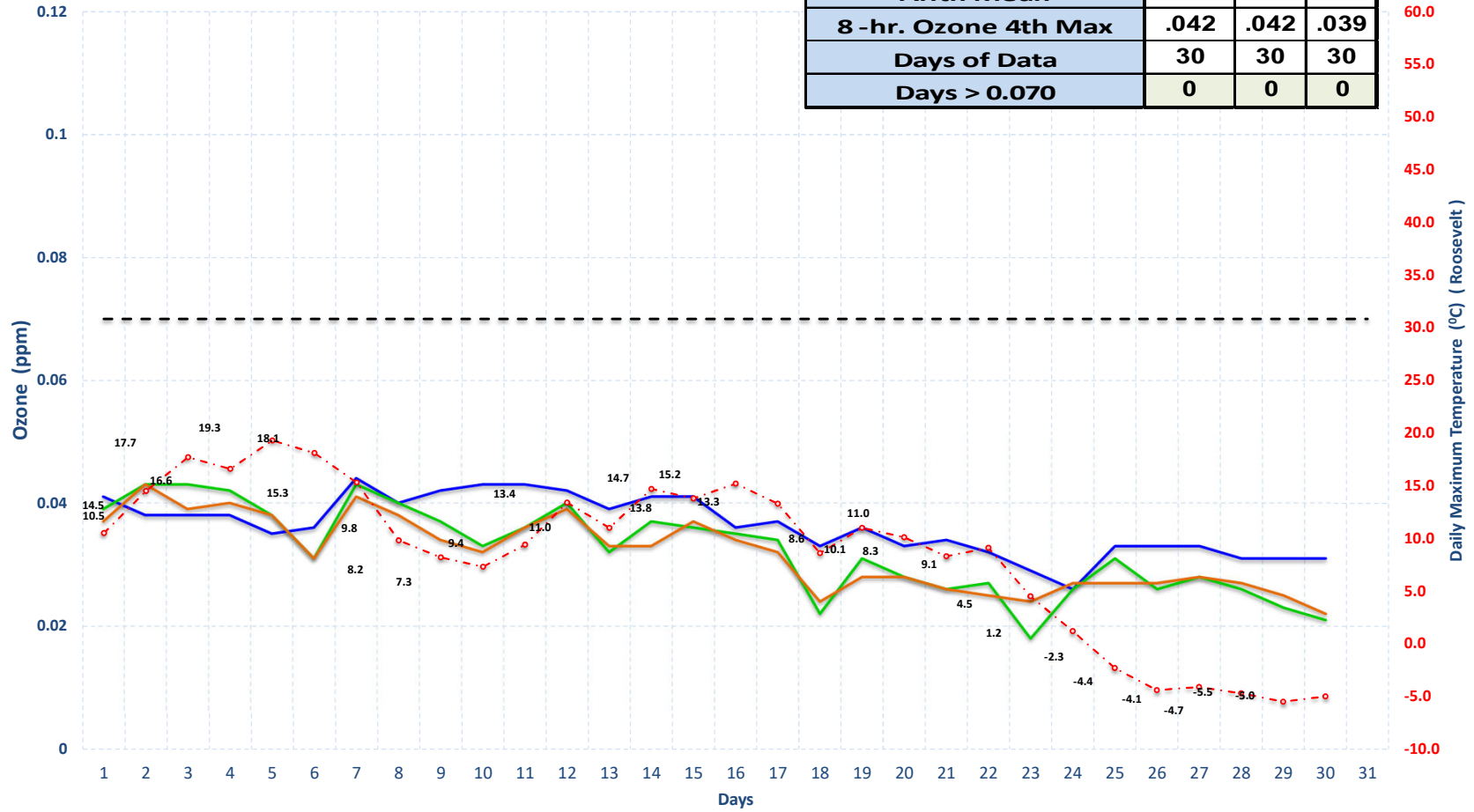
— Bountiful
 — Copperview
 — Erda
 — Herriman #3
 — Harrisville
 — Hawthorne
 — Near Road
 — Rose Park
 — Environmental Quality
 - - - Exceed.
 - - - TM

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2023

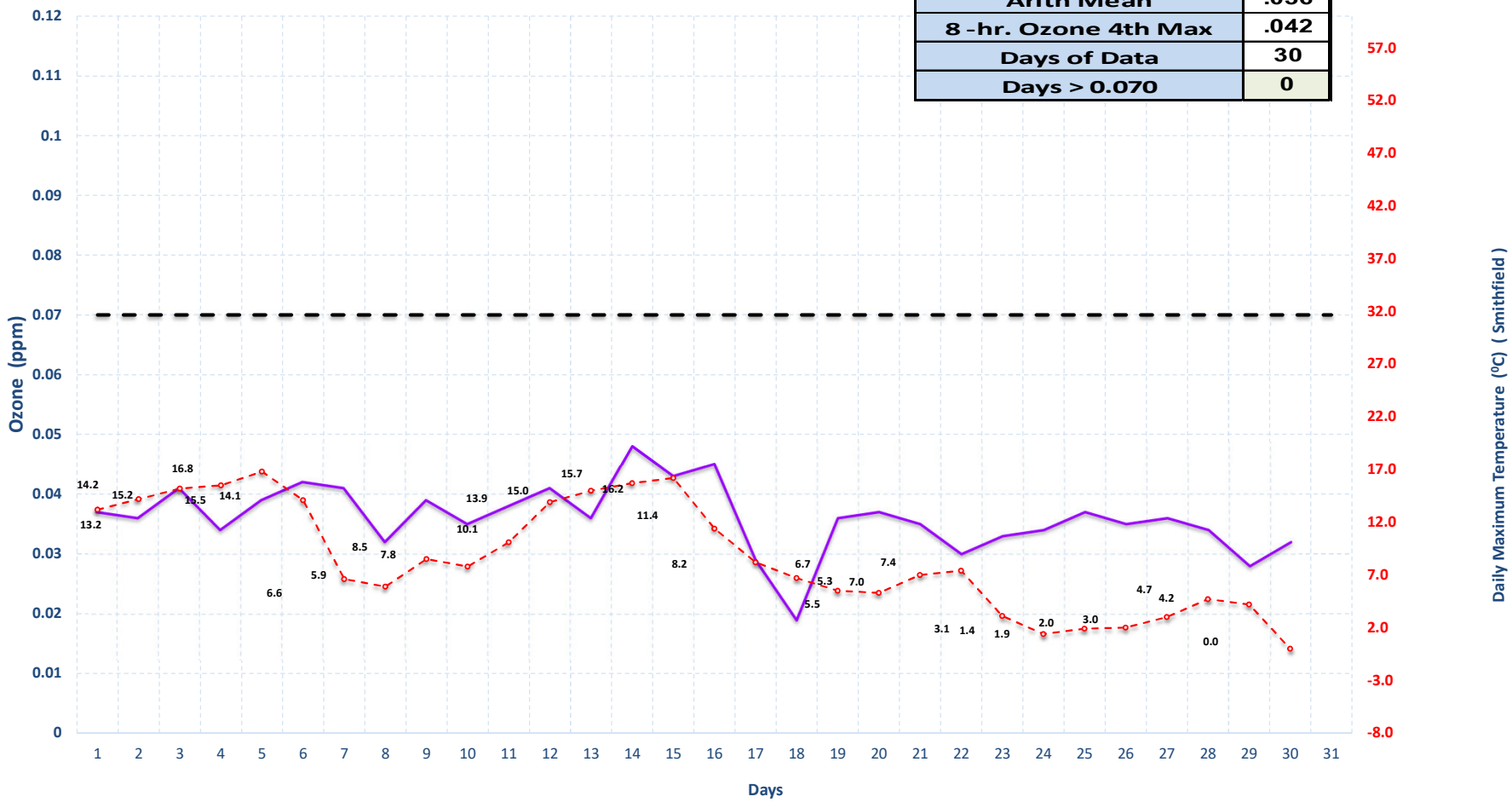
	P2	RS	V4
Arith Mean	.036	.032	.032
8-hr. Ozone 4th Max	.042	.042	.039
Days of Data	30	30	30
Days > 0.070	0	0	0



— Price #2
 — Roosevelt
 — Vernal #4
 - - - Exceed.
 - - - ○ - TM

Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2023

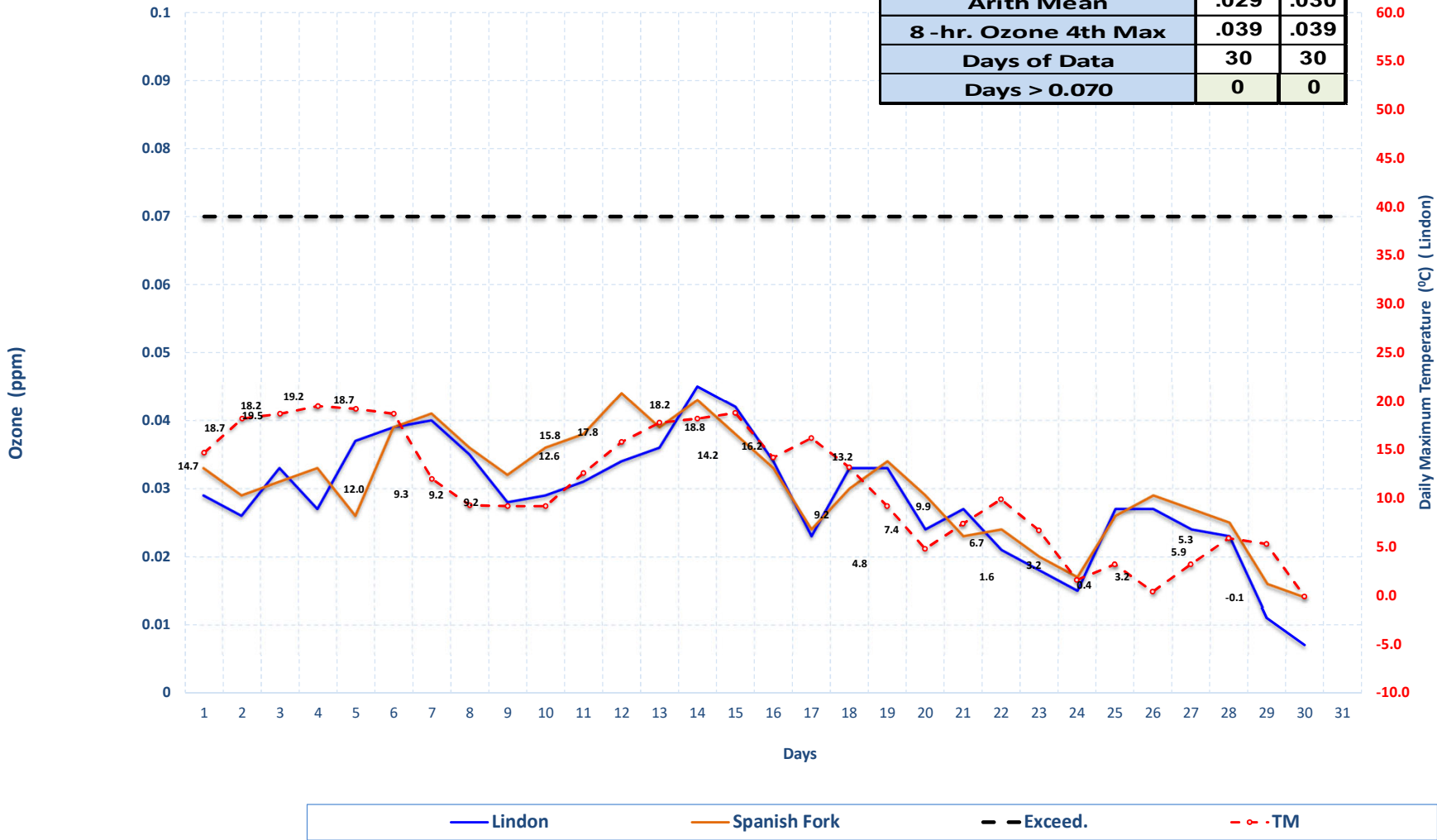
	SM
Arith Mean	.036
8-hr. Ozone 4th Max	.042
Days of Data	30
Days > 0.070	0



— Smithfield
 - - Exceed.
 - - o - - TM

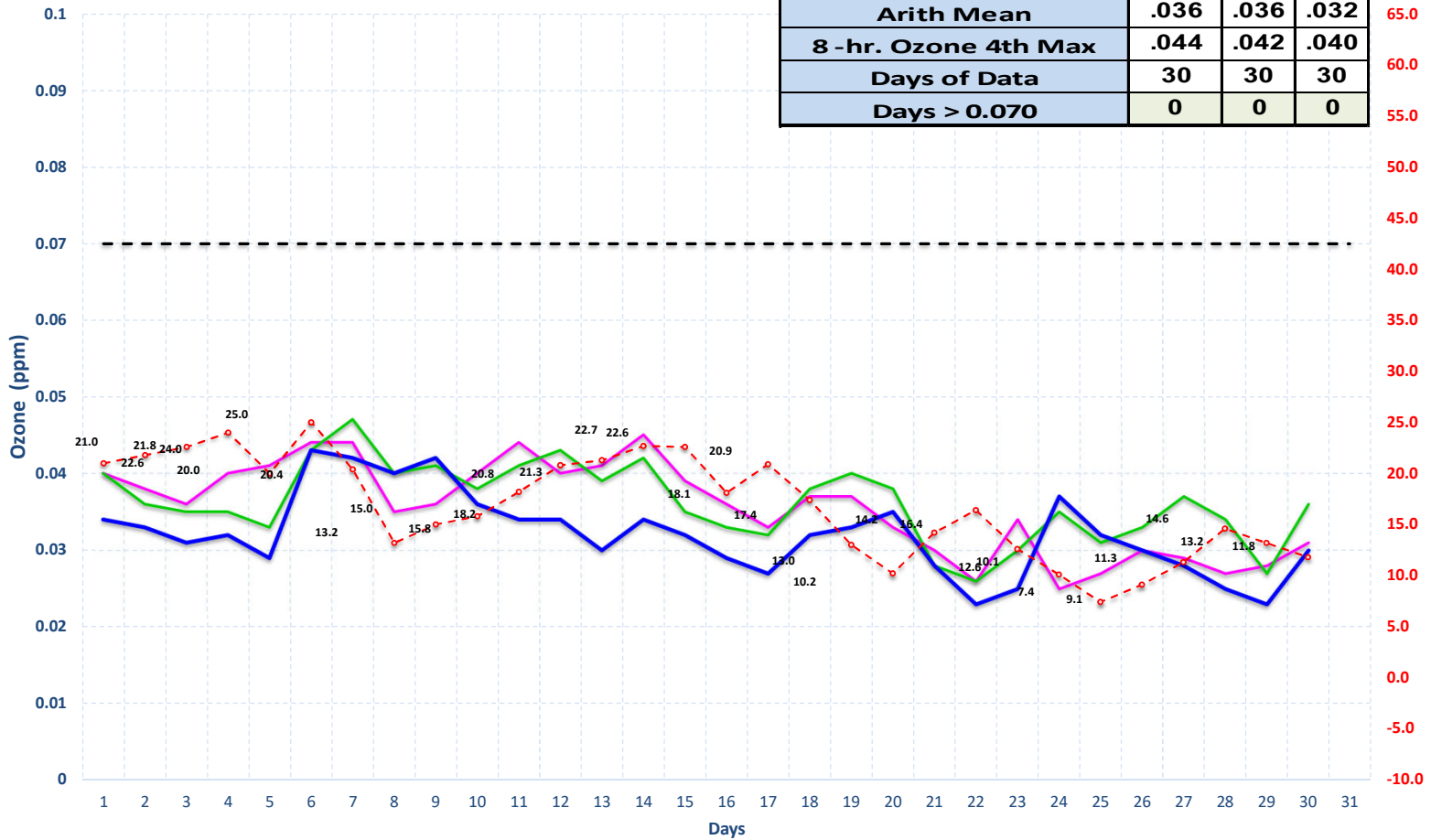
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2023

	LN	SF
Arith Mean	.029	.030
8-hr. Ozone 4th Max	.039	.039
Days of Data	30	30
Days > 0.070	0	0

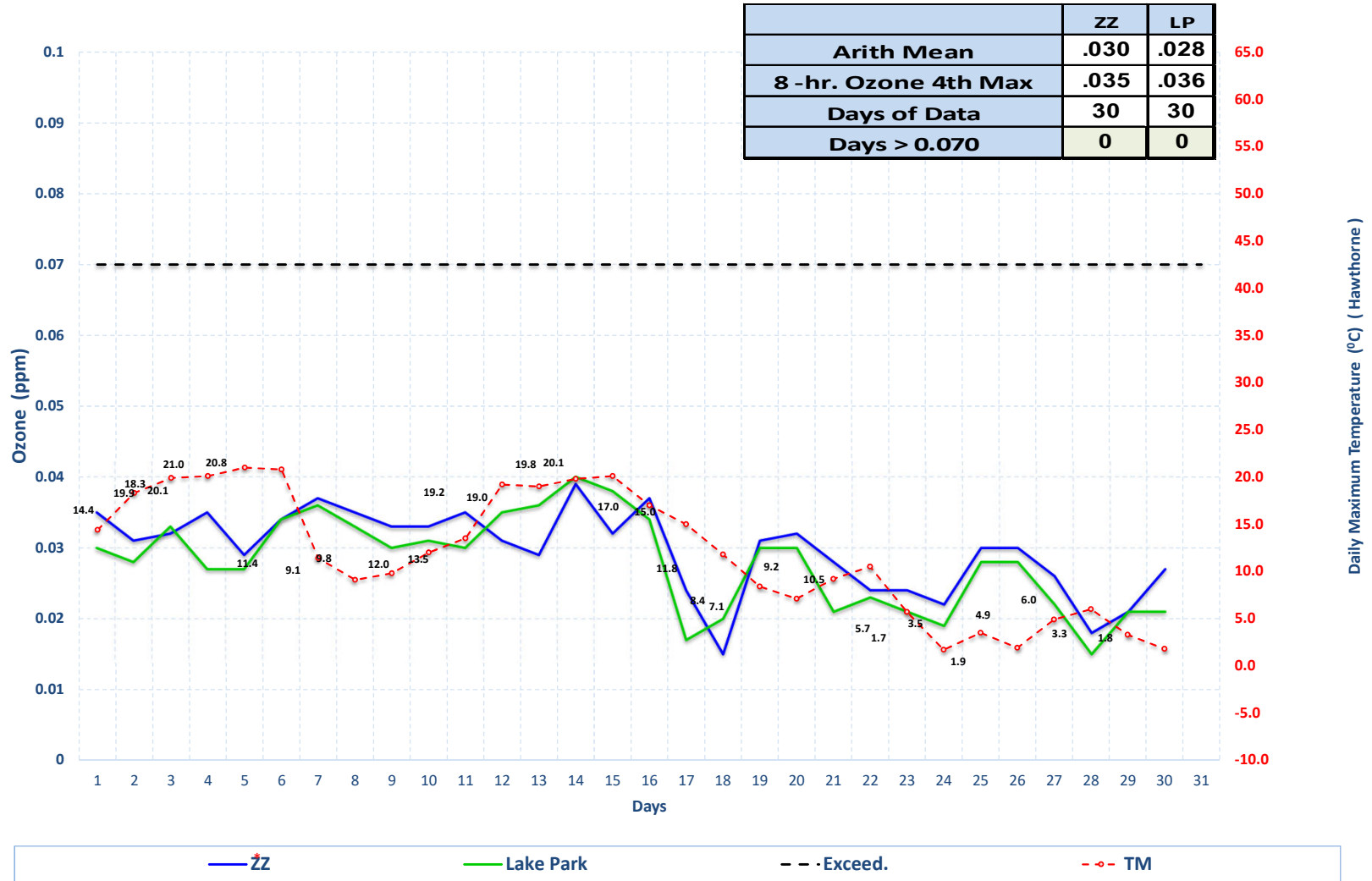


Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2023

	EN	HC	M7
Arith Mean	.036	.036	.032
8-hr. Ozone 4th Max	.044	.042	.040
Days of Data	30	30	30
Days > 0.070	0	0	0



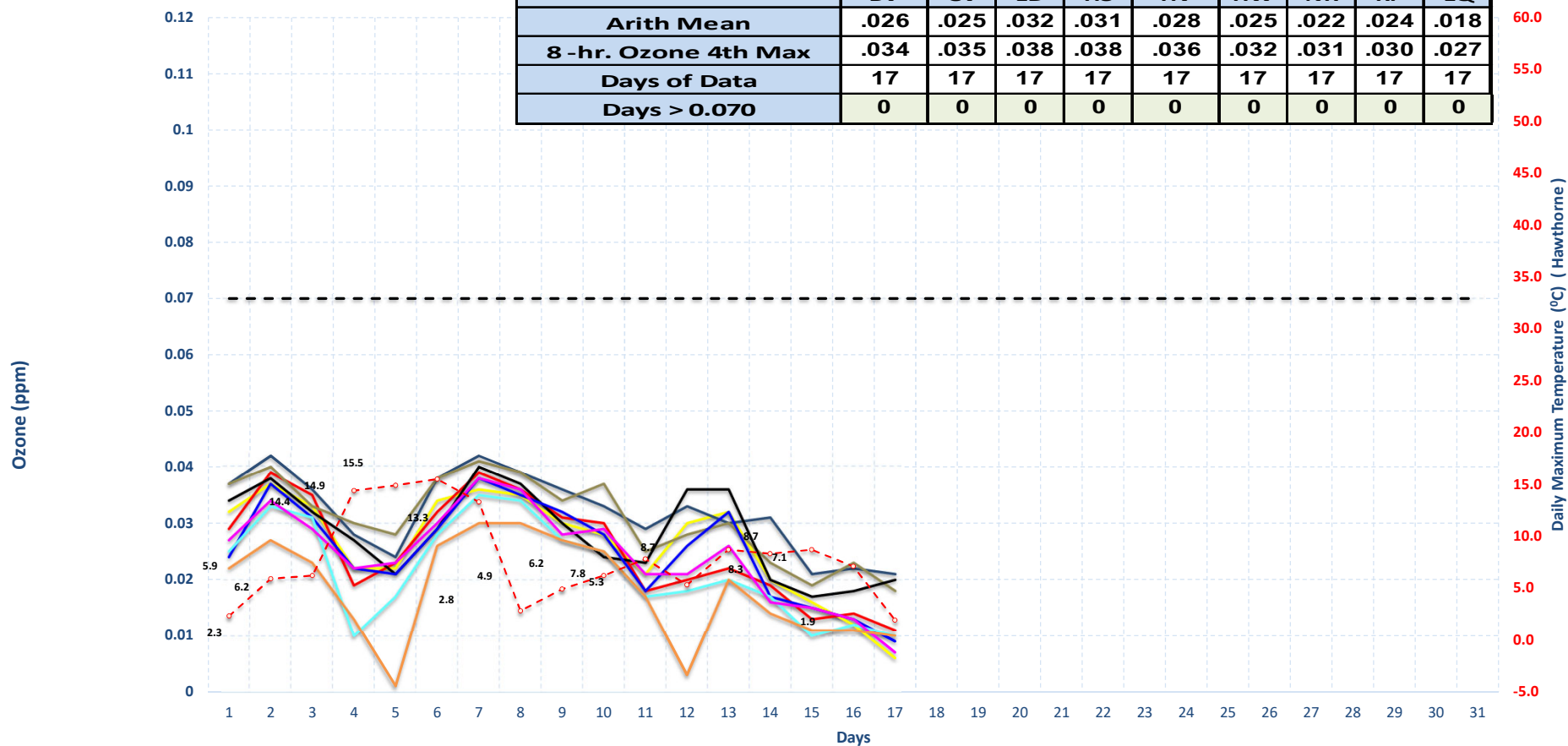
Highest 8-hr Ozone Concentration & Daily Maximum Temperature Nov 2023 Stations monitoring the Inland Port development



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Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2023

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.026	.025	.032	.031	.028	.025	.022	.024	.018
8-hr. Ozone 4th Max	.034	.035	.038	.038	.036	.032	.031	.030	.027
Days of Data	17	17	17	17	17	17	17	17	17
Days > 0.070	0	0	0	0	0	0	0	0	0



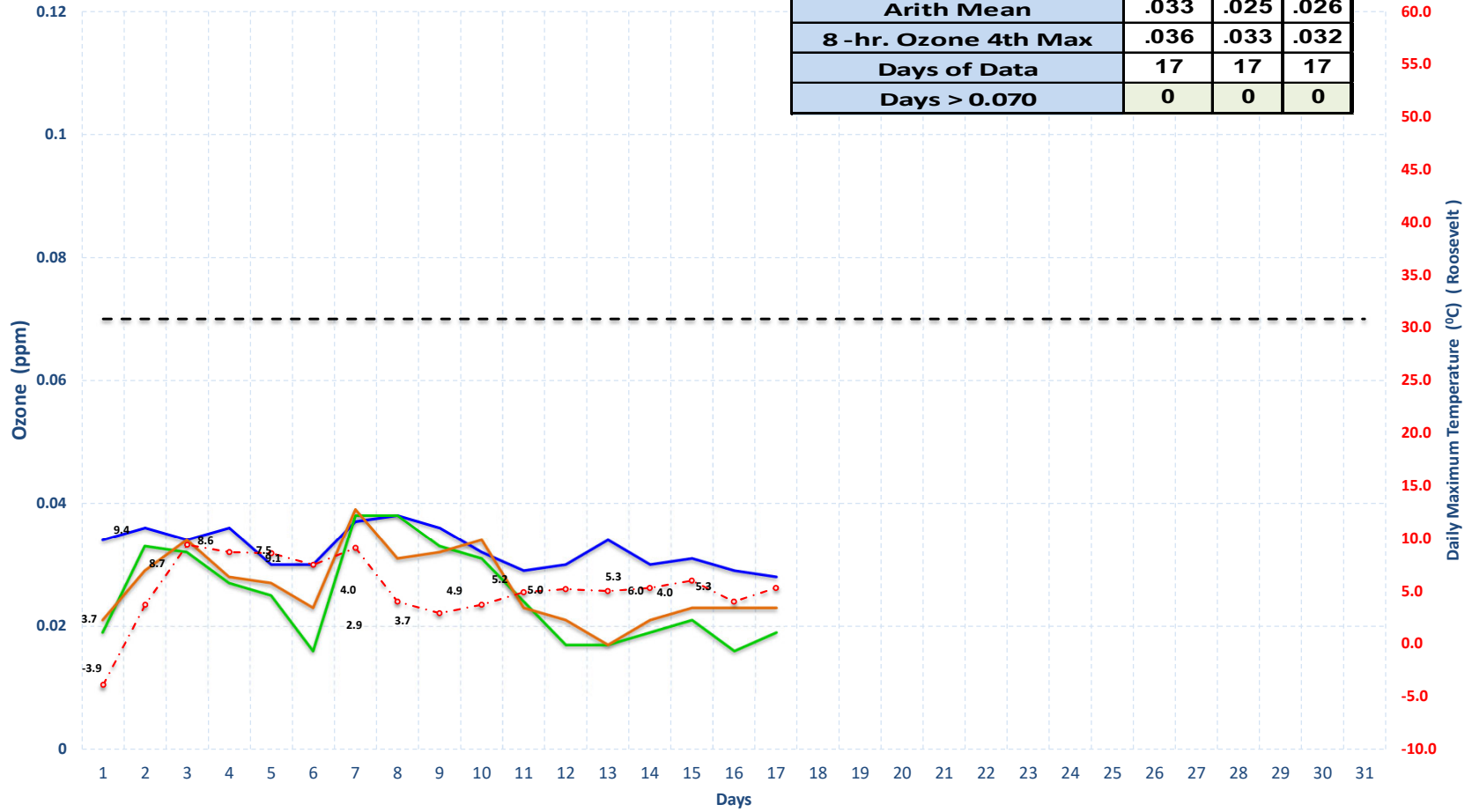
— Bountiful
 — Copperview
 — Erda
 — Herriman #3
 — Harrisville
 — Hawthorne
 — Near Road
 — Rose Park
 — Environmental Quality
 Exceed.
 TM

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

** Controlling Monitor

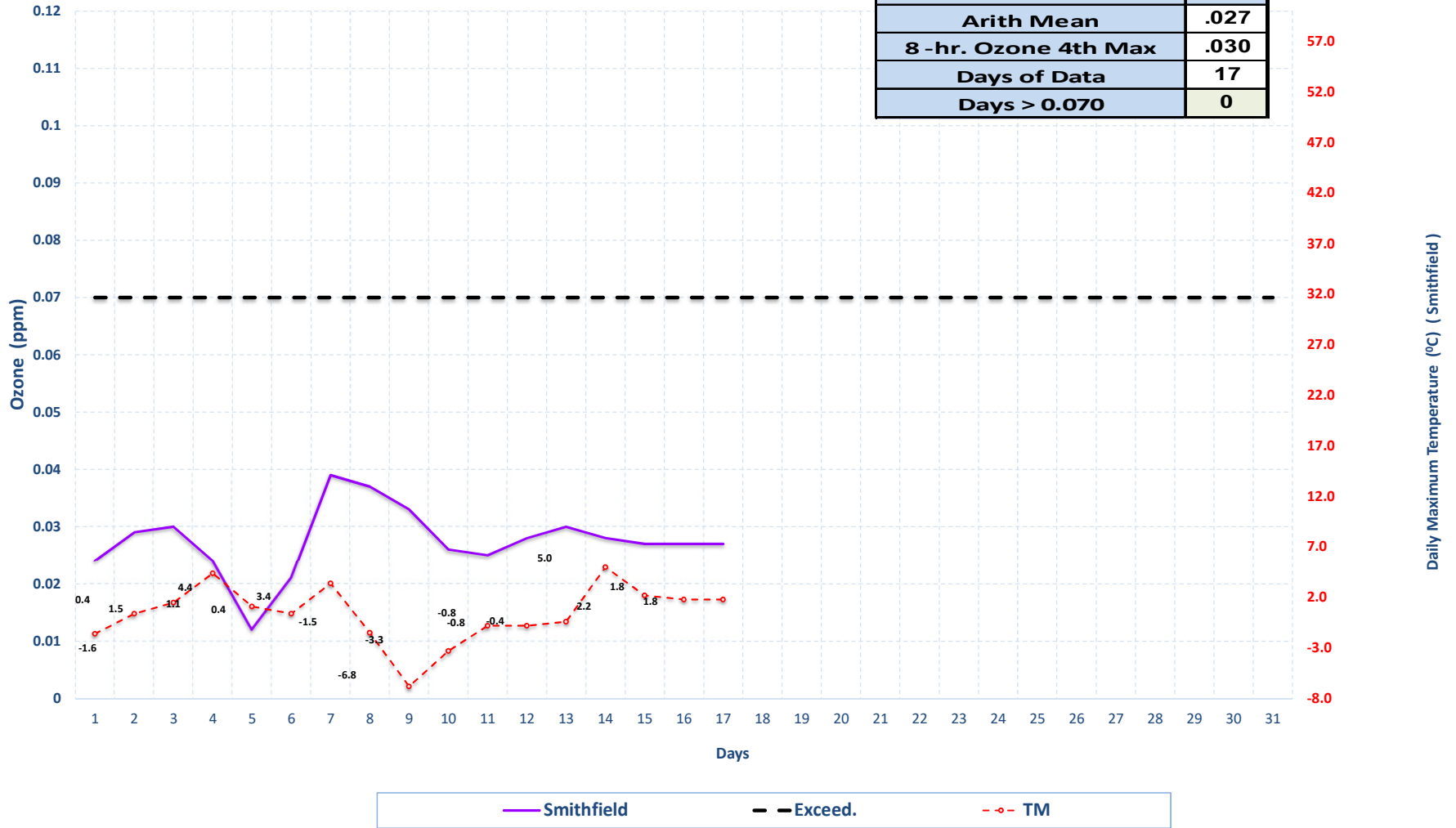
Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2023

	P2	RS	V4
Arith Mean	.033	.025	.026
8-hr. Ozone 4th Max	.036	.033	.032
Days of Data	17	17	17
Days > 0.070	0	0	0



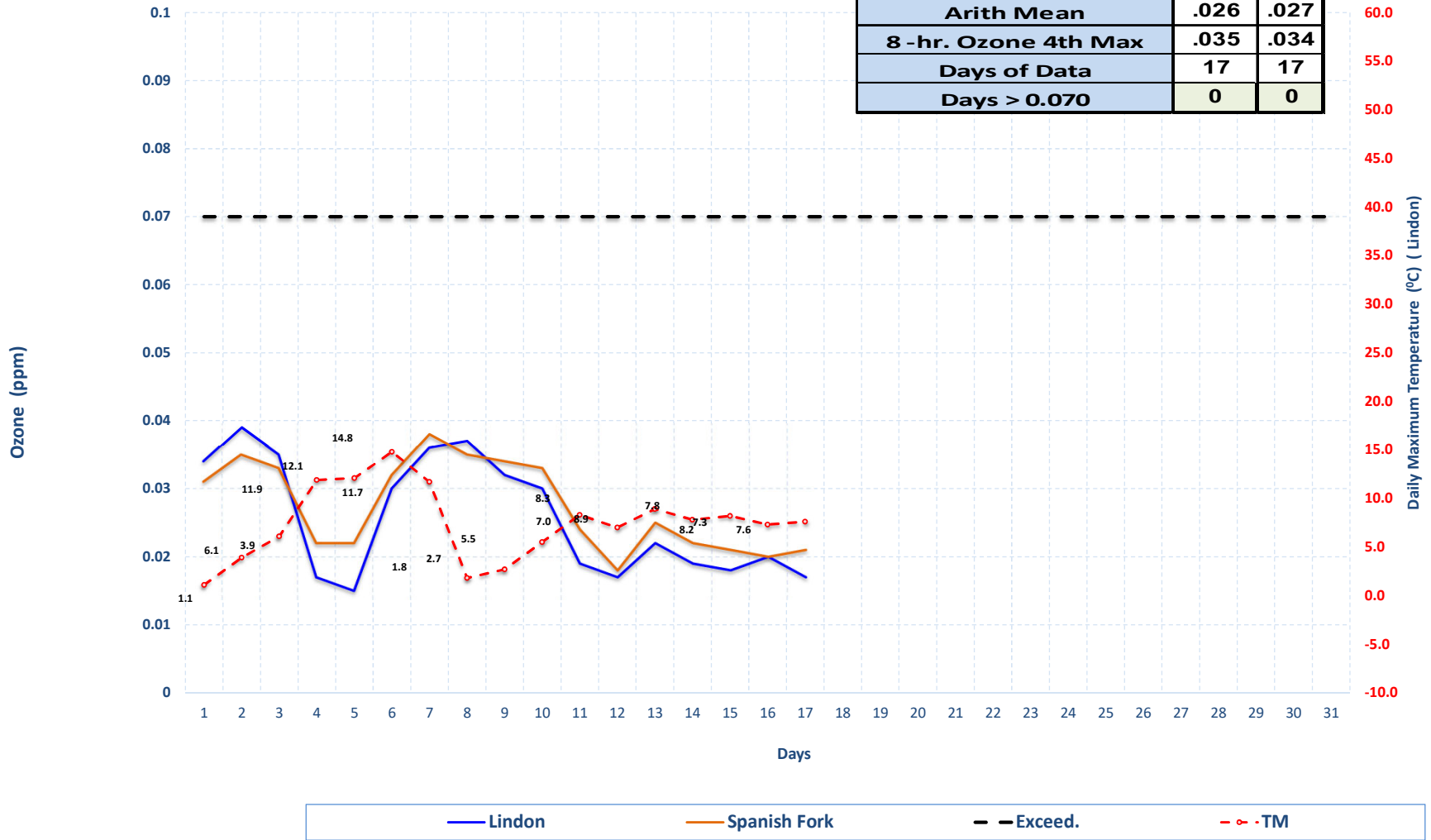
Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2023

	SM
Arith Mean	.027
8-hr. Ozone 4th Max	.030
Days of Data	17
Days > 0.070	0



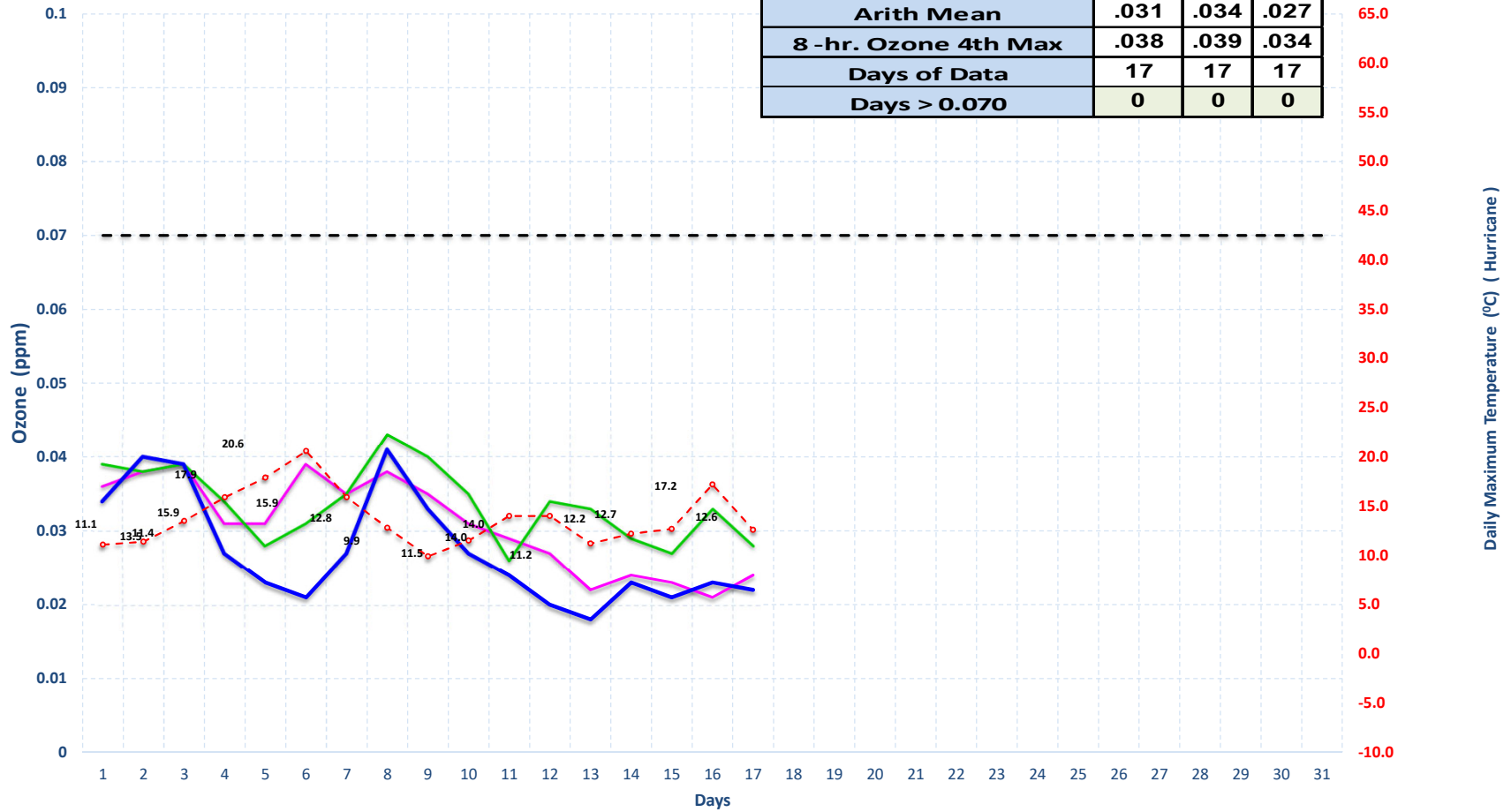
Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2023

	LN	SF
Arith Mean	.026	.027
8-hr. Ozone 4th Max	.035	.034
Days of Data	17	17
Days > 0.070	0	0

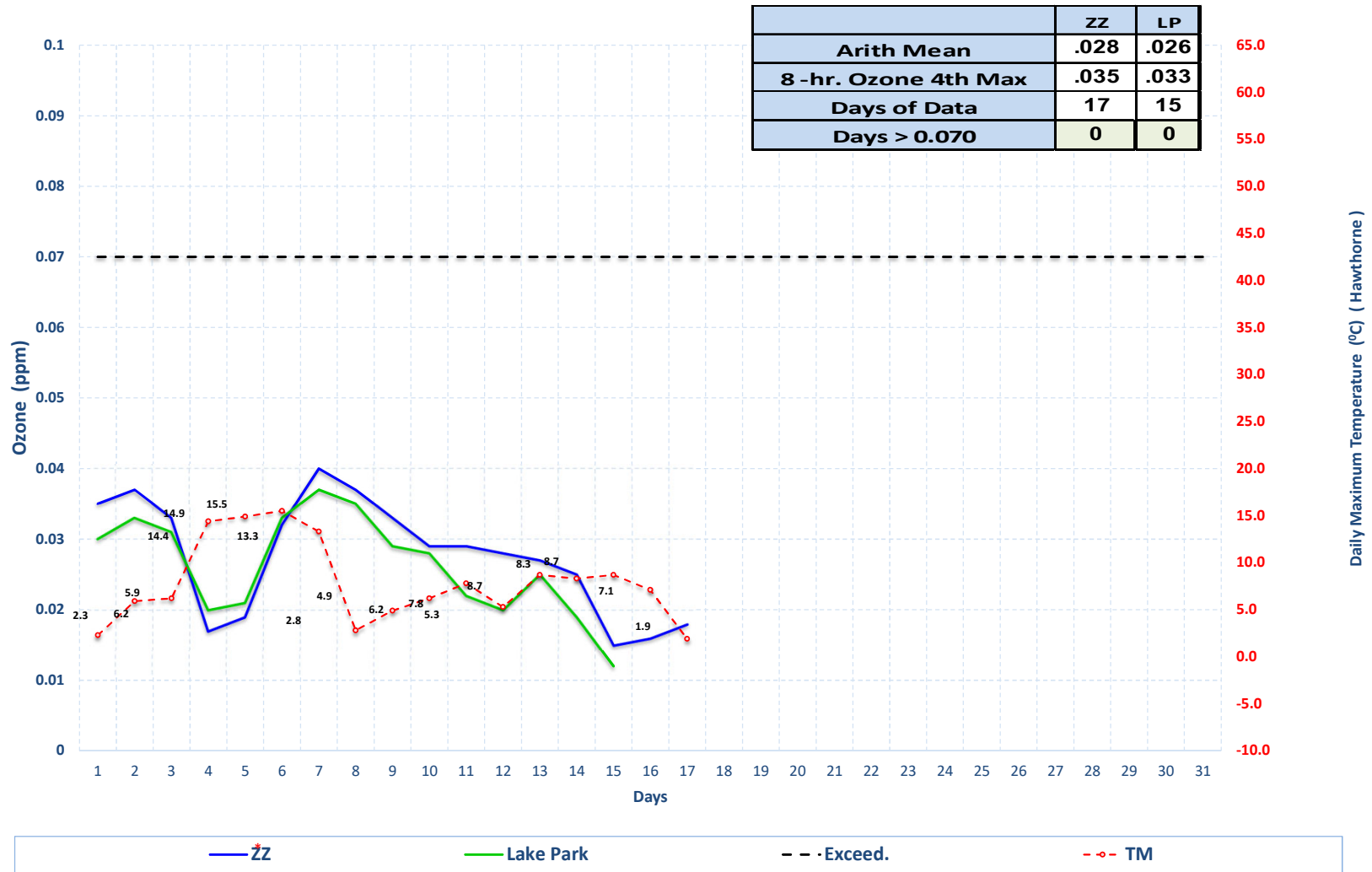


Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2023

	EN	HC	M7
Arith Mean	.031	.034	.027
8-hr. Ozone 4th Max	.038	.039	.034
Days of Data	17	17	17
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2023 Stations monitoring the Inland Port development



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