

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 and Subsection 53C-1-201(3)(c).
- 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.

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:
Mark Berger	801-536-4000	801-536-0085	mberger@utah.gov

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

Rule Information

DAR file no: 43808 Date filed: 06/13/2019 03:30 PM  
 State Admin Rule Filing Key: 161285  
 Utah Admin. Code ref. (R no.): R 307 - 204 -  
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):  
 Emission Standards: Smoke Management

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:  
 H.B. 155, signed 03/21/2019, amended Section 19-2-107.5: Solid Fuel Burning. As a result, Rule R307-204 must be amended to include the requirements set forth in the newly amended state statute.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.  
No

Rule Summary

6. Summary of the rule or change:  
Rule R307-204 has been amended to include required language as directed in Section 19-2-107.5. Additional amendments have been made to streamline the rule, combining similar sections and removing redundancies, outdated language, and outdated conformity policies.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:
- A) State budget:  
Affected: No  
This rule change is not expected to have any fiscal impact on the state budget.
- B) Local government:  
Affected: No  
This rule change is not expected to have any fiscal impact on local governments.
- C) Small businesses:  
Affected: No  
("small business" means a business employing fewer than 50 persons)  
This rule change is not expected to have any fiscal impact on small businesses.
- D) Persons other than small businesses, businesses, or local government entities:  
Affected: No  
("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.

Compliance Cost Information

8. Compliance costs for affected persons:  
This rule change will not have a compliance cost for affected persons. This proposed change does not alter previously existing requirements.

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 was determined that this proposed rule amendment will not result in a fiscal impact to businesses.
- B) Name and title of department head commenting on the fiscal impacts:  
Alan Matheson, 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 Incorporated (from title page):
Publisher:
Date Issued:
Issue, or version:
ISBN Number:
ISSN Number:
Cost of Incorporated Reference:
Adds, updates, removes:

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) : 07/31/2019  
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): 09/04/2019  
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, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):  
air quality  
prescribed fire  
smoke

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 title:

Bryce Bird Director

Date (mm/dd/yyyy): 06/13/2019