Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov

Benjamin H. Grumbles
Director

US Mail

September 22, 2010

Steven L. Perrizo, Sr. Plant Engineer
Mesquite Power, LLC
37625 W. Elliot Road
Arlington, AZ 85322

Dear Mr. Perrizo:

Subject: Determination for Non-Road Engines

The Arizona Department of Environmental Quality (ADEQ) is in receipt of a copy of your letter to Maricopa County Air Quality Department (MCAQD), dated September 7, 2010, regarding three diesel engines temporarily located at the Mesquite Generating Station's Water Pumping Facility.

Your letter states: "the purpose of the three (3) rented diesel generators staged at wells, 1, 2, and 3 is to provide emergency power to the well pumps in the case of a loss of supply power from APS", and "the generators are in place only for the peak summer months when the probability of power outages due to monsoon storms is the highest." Upon review of the information provided, the Department has determined that each engine qualifies as a non-road engine under 40 CFR 89.2.

Please keep a copy of this letter with each engine, and make it available upon request. Additionally, in order for this determination to be maintained, you are required to keep a log which identifies each engine by make, model and serial number, and documents the date each engine moves on and off of the facility. This log should be available for review upon request. Please note that 40 CFR 89.2 states "Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period."

Please be aware that this is a determination made by ADEQ and may not necessarily reflect MCAQD's policy position on the matter. Additionally, this letter does not exempt your facility from any other county or local regulations which may have requirements that apply to your facility. If you should have further questions, please contact Wayne Bixler at (602) 771-2283, or me at (602) 771-2308.

Sincerely,

Eric C. Massey, Director
Air Quality Division

ECM:wbl

cc: William Wiley, MCAQD Air Director
ADEQ, AQD, Compliance Section
Roger K. Ferland, Quarles & Brady LLP (via e-mail)