



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

May 27, 2009

Lawrence Odle, Director
Maricopa County Air Quality Department
1001 North Central Avenue
Suite #500
Phoenix, Arizona 85004

Dear Mr. Odle:

We received your March 11, 2009, request for delegation of Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) pursuant to the Code of Federal Regulations, Title 40, (40 CFR) Parts 60, 61 and 63. In this letter, we are responding only to your request for delegation of 40 CFR Part 60 NSPS and Part 61 NESHAP. You will receive a separate letter addressing delegation of 40 CFR Part 63 NESHAP.

We have reviewed your request for delegation and have found your programs and procedures to be acceptable. As a result, the U.S. Environmental Protection Agency, Region 9 (EPA) is delegating to the Maricopa County Air Quality Department (MCAQD) the authority to implement and enforce the following standards as they existed on July 1, 2006.

- 40 CFR Part 60 Subpart EEEE -- NSPS for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.
- Regarding any other 40 CFR Part 60 NSPS previously delegated to MCAQD, this letter is also delegating any amendments made to those NSPS as they existed on July 1, 2006.
- Regarding any other 40 CFR Part 61 NESHAP previously delegated to MCAQD, this letter is also delegating any amendments made to those NESHAP as they existed on July 1, 2006.

This delegation does not include the following:

- NSPS Subpart FFFF, which addresses emission guidelines and compliance times, is not delegated under CAA 111(c). To the extent that there are sources within

the State that would be subject to this Subpart, the State should be developing regulations for submission to EPA as a Plan under 40 C.F.R. Part 60, Subpart B.

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Parts 60 and 61, including use of EPA's test methods and procedures. As of the effective date of this delegation, MCAQD will have primary authority to enforce the above standards. EPA will retain independent enforcement authority, and will exercise such authority in a manner consistent with EPA's "Timely and Appropriate Enforcement Response to Significant Air Pollution Violators" Guidance, and any revisions thereto, and our enforcement agreement. All notifications and reports required of sources by the above standards should be sent to our office. These delegations are effective upon the date of this letter unless the U.S. EPA receives written notice from you of any objections within 10 days of receipt of this letter. EPA will publish a future Federal Register notice to codify these delegations into the Code of Federal Regulations.

If you have any questions about this delegation, please call me at (415) 947-8715 or have your staff contact Cynthia Allen at (415) 947-4120. Additional information on EPA's delegation to MCAQD can be found at <http://yosemite.epa.gov/r9/r9nsps.nsf>.

Sincerely,



Deborah Jordan
Director, Air Division

cc: Jo Crumbaker, MCAQD

Nancy Wrona, ADEQ