

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 Division 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: 39352 Date filed: 05/07/2015 08:54 AM
 State Admin Rule Filing Key: 156227
 Utah Admin. Code ref. (R no.): R 307 - 101 - 3
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 General Requirements. Version of Code of Federal Regulations Incorporated by Reference.

Notice Type

3. Type of notice: Amendment

Rule Purpose

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

R307-101-3 incorporates by reference the version of the Code of Federal Regulations (CFR) used in the majority of rules adopted by the Air Quality Board. This allows rules that reference R307-101-3 to update the incorporation date with only one rule amendment. The most current version of the CFR for environmental regulations has been updated from July 1, 2013 to July 1, 2014; therefore, it is necessary to amend R307-101-3.

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:

The following is a list of changes to 40 CFR from July 1, 2013 to July 1, 2014 that affect rules which reference R307-101-3: August 28, 2013 -- Vol. 78, No. 167, Pg. 53029-53033 [EPA-HQ-OAR-2012-0393; FRL-9844-3]-The Environmental Protection Agency (EPA) took final action to revise the regulatory definition of volatile organic compounds (VOCs) for purposes of preparing state implementation plans (SIPs) to attain the national ambient air quality standards (NAAQS) for ozone under title I of the Clean Air Act (CAA). This final action added trans 1-chloro-3,3,3- trifluoroprop-1-ene (also known as SolsticeTM1233zd(E)) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation. March 27, 2014 -- Vol. 79, No. 59, Pg. 7037-17043 [EPA-HQ-OAR-2013-0775; FRL-9906-73-OAR]-The EPA took direct final action to revise the regulatory definition of VOCs under the Clean Air Act (CAA). This direct final action added 2-amino-2- methyl-1-propanol (also known as AMP; CAS number 124-68-5) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

Because the revisions do not create new requirements, no change in costs or savings is expected for the state budget.

B) Local government:

Affected: No

Because this revision does not create new requirements, no change in costs or savings is expected for local governments.

C) Small businesses:

Affected: No

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

Because this revision does not create new requirements, no change in costs or savings is expected for 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)

Because this revision does not create new requirements, no change in costs or savings is expected for persons other than small businesses, businesses, or local government entities.

Compliance Cost Information

8. Compliance costs for affected persons:

Because this revision does not create new requirements, no change in costs is expected for affected persons.

Department Head Comments

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

This amendment does not create new requirements; therefore, there is no anticipated fiscal impact on businesses.

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

Amanda Smith, 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) :
19-2-10(1)(a)

Incorporated Materials

11. 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 DAR; if none, leave blank) :

[Empty box for incorporated materials]

Official Title of Materials Incorporated (from Title 40 Code of Federal Regulations
title page):
Publisher: National Archives and Records Administration's Office of the
Federal Register
Date Issued:
Issue, or version: July 1, 2014
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) : 07/01/2015
- 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): 08/06/2015
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 Division 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 pollution
definitions

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): 05/07/2015