

State of Utah

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR file no: Utah Admin. Code ref. (R no.):	R307-101	Date filed: Time filed:
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1. Agency: Environmental Quality/Air Quality
 Room no.:
 Building:
 Street address 1: 150 N 1950 W
 Street address 2:
 City,state,zip: SALT LAKE CITY, UT 84116-3085
 Mailing address 1: PO BOX 144820
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 City,state,zip: SALT LAKE CITY, UT 84114-4820
Contact person(s):
Name: Phone: Fax: E-mail: Remove:
 Jan Miller 801-536-4042 801-536-0085 janmiller@utah.gov

(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)

2. **Title of rule or section (catchline):**
 General Requirements

3. **A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:**
 Subsection 19-2-104(1)(a) states that the Air Quality Board may make rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source." R307-101 includes a general introduction to air quality rules in Utah in Section 1. Section 2 includes definitions used throughout all other R307 rules. Definitions are an important part of the rules to control, abate, and prevent air pollution and thus are authorized by 19-2-104.

4. **A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:** No comments have been received outside the comment period when R307-101 has been amended. The rule has been revised five times since its last review on June 5, 2003: 1) DAR #26651, published October 1, 2003. No comments were received. 2) DAR #27755, published April 1, 2005. Several comments were received from the Environmental Protection Agency (EPA). EPA noted that there is no provision in the Clean Air Act for the definition of "Baseline Date" that was proposed for public comment; the Board kept the definition as it was proposed, because the EPA definition does not protect air quality in areas that are moving from nonattainment to attainment. EPA also requested that Utah provide a description of the term "EPA Method 9"; in response, DAQ pointed out that Method 9 is a federal reference test method delineated in 40 CFR Part 60, and is incorporated by reference in R307-210. 3) DAR #27818, published May 1, 2005; no comments were received. 4) DAR# 28029, published July 1, 2005; no comments were

received. 5) DAR# 28545, published April 1, 2006; no comments were received.	
5.	A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any: Many of the terms defined in R307-101-2 are used in more than one other R307 rule. Without the definitions, the other rules would be meaningless. It is essential that R307-101 be continued.
6.	Indexing information - keywords (maximum of four, in lower case): air pollution, definitions
7.	Attach an RTF document containing the text of this rule change (filename): There is currently a document associated with this filing. <input type="button" value="Rule Text"/>
To the agency: Information requested on this form is required by Section 63-46a-9. Incomplete forms will be returned to the agency for completion, possibly delaying the effective date.	

AGENCY AUTHORIZATION

Agency head or designee, and title:	Heying, M. Cheryl Planning Branch Manager	Date (mm/dd/yyyy):	6/1/2006
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M. Cheryl Heying 5-25-06