

House Engrossed

exceptional events; air quality; wildfires

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2013

AN ACT

AMENDING SECTION 49-424, ARIZONA REVISED STATUTES; RELATING TO STATE AIR POLLUTION CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 49-424, Arizona Revised Statutes, is amended to
3 read:

4 49-424. Duties of department

5 The department shall:

6 1. Determine whether the meteorology of the state is such that
7 airsheds can be reasonably identified and air pollution, therefore, can be
8 controlled by establishing air pollution control districts within well
9 defined geographical areas.

10 2. Make continuing determinations of the quantity and nature of
11 emissions of air contaminants, topography, wind and temperature
12 conditions, possible chemical reactions in the atmosphere, the character
13 of development of the various areas of the state, the economic effect of
14 remedial measures on the various areas of the state, the availability, use
15 and economic feasibility of air-cleaning devices, the effect on human
16 health and danger to property from air contaminants, the effect on
17 industrial operations of remedial measures and other matters necessary to
18 arrive at a better understanding of air pollution and its control. In a
19 county with a population in excess of one million two hundred thousand
20 persons, the department shall locate a monitoring system in at least two
21 remote geographic sites.

22 3. Establish substantive policy statements for identifying air
23 quality exceptional events that take into consideration this state's
24 unique geological, geographical and climatological conditions and any
25 other unusual circumstances. These substantive policy statements shall be
26 developed with the planning agency certified pursuant to section 49-406,
27 subsection A and the county air pollution control department or district.
28 **IF A WILDFIRE OCCURS ON FEDERALLY MANAGED LAND THAT AFFECTS THIS STATE,**
29 **THE DEPARTMENT SHALL SUBMIT AN EXCEPTIONAL EVENT DEMONSTRATION TO THE**
30 **UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.**

31 4. Determine the standards for the quality of the ambient air and
32 the limits of air contaminants necessary to protect the public health, and
33 to secure the comfortable enjoyment of life and property by the citizens
34 of the state or in any defined geographical area of the state where the
35 concentration of air pollution sources, the health of the population, or
36 the nature of the economy or nature of land and its uses so require, and
37 develop and transmit to the county boards of supervisors minimum state
38 standards for air pollution control.

39 5. Conduct investigations, inspections and tests to carry out the
40 duties of this section under the procedures established by this article.

41 6. Hold hearings relating to any aspect of or matter within the
42 duties of this section, and in connection therewith, compel the attendance
43 of witnesses and the production of records under the procedures
44 established by section 49-432.

- 1 7. Prepare and develop a comprehensive plan or plans for the
2 abatement and control of air pollution in this state.
- 3 8. Encourage voluntary cooperation by advising and consulting with
4 persons or affected groups or other states to achieve the purposes of this
5 chapter, including voluntary testing of actual or suspected sources of air
6 pollution.
- 7 9. Encourage political subdivisions of the state to handle air
8 pollution problems within their respective jurisdictions, and provide as
9 it deems necessary technical and consultative assistance therefor.
- 10 10. Compile and publish from time to time reports, data and
11 statistics with respect to those matters studied and investigated by the
12 department.
- 13 11. Develop and disseminate air quality dust forecasts for the
14 Maricopa county PM-10 nonattainment or maintenance area and any other
15 PM-10 nonattainment or maintenance areas that are designated in this state
16 from and after December 31, 2011. Each forecast shall identify a low,
17 moderate or high risk of dust generation for the next five consecutive
18 days and shall be issued by noon on each day the forecast is generated.
19 At a minimum, the forecasts shall be posted on the department's website
20 and distributed electronically. When developing these forecasts, the
21 department shall consider all of the following:
- 22 (a) Projected meteorological conditions for the PM-10 nonattainment
23 or maintenance area, including all of the following:
- 24 (i) Wind speed and direction.
25 (ii) Stagnation.
26 (iii) Recent precipitation.
27 (iv) Potential for precipitation.
- 28 (b) Existing concentrations of air pollution at the time of the
29 forecast.
- 30 (c) Historic air pollution concentrations that have been observed
31 during meteorological conditions similar to those that are predicted to
32 occur in the forecast.