

PIMA COUNTY AIR QUALITY HEARING BOARD  
FINDINGS OF FACT AND CONCLUSION OF LAW

Petition for Appeal of Air Quality Permit Issued to  
Brush Ceramic Products, Inc.  
Docket No. 06.001

A hearing was convened on December 21, 2006, at 2:30 .m. in the Board of Supervisors Hearing Room, 130 W. Congress Street, Tucson, AZ. As a result of this hearing, the Pima County Air Quality hearing Board has determined the following Finds of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Brush Ceramic Products, Inc. (BCP), a manufacturing facility located at 6100 South Tucson Boulevard in Tucson, AZ, is permitted by PDEQ under a Class II stationary source operating permit, No. 1571. The facility operates a beryllium ceramic plant and machine shop and is subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) for Beryllium (40 CFR 61, Subparts A and C).
2. The initial air quality permit renewal process began in 1999. After public comment periods in 1999, 2000, 2003, and 2006, the Pima County Department of Environmental Quality (PDEQ) issued the air quality permit on November 7, 2006.
3. The new permit contains much stricter requirements than the original permit and will provide additional information to PDEQ to verify BCP's compliance with permit conditions. In addition, a voluntary agreement has been negotiated with BCP to fund some of the costs of increased air quality monitoring near the facility.

CONCLUSION OF LAW

1. The air quality permit developed by the PDEQ is legally and practically enforceable.
2. The air quality permit issued to Brush Ceramic Products, Inc., on November 2, 2006, is a valid air quality permit pursuant to Pima County Code, Title 17.

ORDER

Based upon the Findings of Fact, Conclusions of Law and testimony received, the Pima County Air Quality Hearing Board does hereby sustain and affirm the air quality permit issued by the Pima County Department of Environmental Quality to Brush Ceramic Products, Inc., on November 7, 2006.

Judicial review of permit decisions of the Air Quality Hearing Board may be obtained pursuant to A.R.S. § 49-497.



---

Dr. Barry Friedman, M.D., Chairman  
Pima County Air Quality Hearing Board

2/19/07

Date