Emissions Inventory Confidential Data Help Sheet

How to Submit Confidential Emissions Inventory Data

Maricopa County Air Quality Department

December 2020

Introduction

Information submitted in your annual emissions reports must be made available to the public unless it meets certain criteria described in Arizona Revised Statutes (A.R.S.) and Maricopa County Rules as stated below.

A.R.S. § 49-487 D. … the following information shall be available to the public:

> 1. The name and address of any permit applicant or permittee.
>
> 2. The chemical constituents, concentrations and amounts of any emission of any air contaminant.
>
> 3. The existence or level of a concentration of an air pollutant in the environment.

MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS, Rule 100:

§ 200.126   **TRADE SECRETS** - Information to which all of the following apply:

> a. A person has taken reasonable measures to protect from disclosure and the person intends to continue to take such measures.
>
> b. The information is not, and has not been, reasonably obtainable without the person's consent by other persons, other than governmental bodies, by use of legitimate means, other than discovery based on a showing of special need in a judicial or quasi-judicial proceeding.
>
> c. No statute, including A.R.S. § 49-487, specifically requires disclosure of the information to the public.
>
> d. The person has satisfactorily shown that disclosure of the information is likely to cause substantial harm to the business's competitive position.

§ 402   CONFIDENTIALITY OF INFORMATION:

§ 402.2   Any records, reports, or information obtained from any person under these rules shall be available to the public, unless the Control Officer has notified the person in writing as specified in Section 402.3 of this rule and unless a person:

> a. Precisely identifies the information in the permit(s), records, or reports, which is considered confidential.
>
> b. Provides sufficient supporting information to allow the Control Officer to evaluate whether such information satisfies the requirements related to trade secrets as defined in this rule.

This help sheet provides detailed guidance on how to report throughputs and emissions for processes where the throughput is confidential. This help sheet is intended to supplement, not replace, the Emissions Inventory Instructions and the process specific help sheets that are available at maricopa.gov/5628.

Step 1

Refer to the Emissions Inventory Instructions to access your facility in the AQD Online portal, create an emissions inventory, update the facility contacts and facility inventory, and begin reporting emissions.

Step 2

When you get to a Process & Emission Detail screen where confidential information will be entered, mark the **Confidential** box to flag the material throughput value as confidential. Please note that the throughput is the only field where confidential data can be entered. Data entered in any other field will be visible to the public.

Step 3

You will be required to submit a justification to claim confidentiality. Click **Add Justification** and enter an explanation about why the material throughput is a trade secret and click **OK**. Once all the material and operational information is entered, click **Save**.

Step 4

To report confidential emissions, click **Edit Emissions** at the bottom of the screen. Delete all emissions factors from the table. Please note that emissions factors cannot be held confidential if they are entered into the table (even if the emissions factors appear greyed out). For the method used, select **Emissions** and input the emissions from the process in the **Fugitive Amount** column (if the emissions process is not connected to a release point) and **Stack Amount** column (if the emissions process is connected to a release point).

▼ Material Information, Annual Average Operating Schedule & Throughput Percent

Maximum Hours Per Day:	24	Winter (Jan-Feb, Dec)%:	25
Maximum Days Per Week:	7	Spring (Mar-May)%:	25
Maximum Weeks Per Year:	52	Summer (Jun-Aug)%:	25
Actual Hours:	1,437.00	Fall (Sep-Nov)%:	25

Material	Action	Throughput	Confidential	Units
Product	Produced	365445	☐ Justification	TONS

▶ Explanation

Variable Amount in Product Units & Meaning

The variables table is empty because there are no variables in the formula associated with the FIRE rows fo process.

▶ Explanation

[Edit Material/Schedule/Seasons]

Delete all emission factors before changing the method to emissions - any emission factors entered will be visible to the public.

▼ Process Emissions

Criteria Air Pollutants/Other			Uncontrolled Emissions Factor (Lbs/Throughput Units)	Time-based Factor (LBS/Hour)	Fugitive Amount	Stack Amount	Total	Units	Explanation
Pollutant	Method Used	Hours Uncontrolled							
PM Primary (includes filterables > 10 microns + condensibles)	Throughput-based factor Uncontrolled factor input by user.	0	0.11		0.200995	0	0.200995	TONS	
PM10 Primary (includes filterables + condensibles)	Throughput-based factor Uncontrolled factor input by user.	0	0.055		0.100497	0	0.100497	TONS	
PM2.5 Primary (includes filterables + condensibles)	Throughput-based factor Uncontrolled factor input by user.	0	0.0825		0.150746	0	0.150746	TONS	
CO - Carbon Monoxide	Emissions Uncontrolled factor input by user.		0		0	0	0	TONS	
NOx - Nitrogen Oxides	Emissions Uncontrolled factor input by user.		0		0	0	0	TONS	
SO2 - Sulfur Dioxide	Emissions Uncontrolled factor input by user.		0		00	0	0	TONS	
VOC - Volatile Organic Compounds	Emissions Uncontrolled factor input by user.		0		0	0	0	TONS	
Ammonia	Emissions Uncontrolled factor input by user.		0		0	0	0	TONS	

[Printable view] [Export to excel]

The following information was developed using {Arizona} DEQ-generated pollutant emission calculations. The values may be provided to USEPA by the {Arizona} DEQ. You may modify these {Arizona} DEQ-generated emission calculations if you have more accurate information.

Hazardous Air Pollutants/Greenhouse Gases/Other			Uncontrolled Emissions Factor (Lbs/Throughput Units)	Time-based Factor (LBS/Hour)	Emissions Reported				
Pollutant	Method Used	Hours Uncontrolled			Fugitive Amount	Stack Amount	Total	Units	Explanation

[Printable view] [Export to excel]

[Edit Emissions]

Step 5

Confidential emissions must be calculated outside of the AQD Online Portal. The calculations must be on a spreadsheet, and two versions of the spreadsheet must be attached to the emissions inventory. When attaching the calculation documentation, you will need to select **Trade Secret Document** as the Attachment Type. In the description box, enter **Confidential Calculations**. Click **Choose File** to upload a Public File and a Trade Secret File. The Trade Secret File must contain all of the confidential information (including material throughput and emissions factors) showing how the emissions were calculated. The Public File should contain the same information as the Trade Secret File but with confidential data removed. The confidential data may include material names, annual throughput, and emissions factors.

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* Attachment Type : [Trade Secret Document ▼]
* Description : [   ]

* Public File to Upload : [Choose File] No file chosen
Trade Secret File to Upload : [Choose File] No file chosen
Trade Secret Justification : [   ]

[Apply] [Cancel]

Step 6

Attach a letter requesting that the selected throughputs be held confidential. The letter should provide factual information describing why releasing this information could cause substantial harm to the business's competitive position. This document should be submitted following the same procedure in Step 5 (select **Other** as the Attachment Type). No data can be held confidential without proper justification. The Maricopa County Air Quality Department (MCAQD) will reply in writing to all requests for confidentiality, detailing which throughput values will be held confidential.

Questions

If you have questions or are experiencing issues with the AQD Online Portal, please contact 602-506-6790 or EmissionsInventory@maricopa.gov. Please provide a brief explanation of the question or problem you are encountering and include a screenshot if contacting us via email. If you are encountering errors or malfunctions in the portal, include the following information in your message: the date and time when the error occurred, the browser you were using when the error occurred, and the type of device you were using when the error occurred (i.e., computer, tablet, phone, etc.).

Additional Resources

How to create a Shared CROMERR Services (SCS) electronic signature to access the AQD Online Portal: maricopa.gov/DocumentCenter/View/56270

Emissions inventory instructions and other process specific help sheets: maricopa.gov/5628

Instructions for permit applications, compliance reports, asbestos notifications, performance test protocols, and other documents that can be submitted through the AQD Online portal: maricopa.gov/1820