



# Maricopa County

Air Quality Department

Office of the Director  
William Wiley  
1001 North Central Avenue  
Suite #500  
Phoenix, Arizona 85004  
602-506-6443 – desk  
602-372-6440 – fax

August 1, 2012

Mark Smith  
Kowa American Corporation  
55 East 59<sup>th</sup> Street, 19<sup>th</sup> floor  
New York, New York 10022

**RE: Listing DIMETHYL CARBONATE as a non-precursor organic compound**

Dear Mr. Smith:

Thank you for your follow-up e-mail of July 10, 2012. Maricopa County Air Quality Department (department) has completed the review of your request to list DIMETHYL CARBONATE (DMC) as a non-precursor organic compound as defined in Maricopa County Air Pollution Control Regulation III, Rule 100: General Provisions and Definitions, as adopted on June 6, 2007.

On January 21, 2009, (74 FR 3437) the US Environmental Protection Agency (EPA) revised the definition of volatile organic compounds (VOCs) by adding DMC to the list of compounds which are excluded from the definition of VOC. This decision was based on the compound having a negligible contribution to tropospheric ozone formation. The effective date of the EPA rulemaking was February 20, 2009.

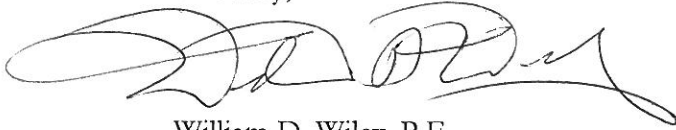
The Arizona Department of Environmental Quality (ADEQ) completed a revision of the Arizona Administrative Code to exclude DMC in the definition of a VOC (18 A.A.R. 1542, July 6, 2012). The effective date of ADEQ's rule making is August 7, 2012.

The department has reviewed the EPA and ADEQ rulemaking actions and acknowledges the need to update the Maricopa County Rule 100 definition of VOC to reflect the current scientific knowledge regarding DMC and remain consistent with federal and state regulations. As you know, this can be a long process. The department will use enforcement discretion for any violations relating solely to the inclusion of DMC as a volatile organic compound, effective as of August 7, 2012. This enforcement discretion is limited only to DMC and no other compounds.

If you have any questions regarding the use of DMC within Maricopa County, please contact me at 602.506.6443 or Cheri Dale at 602.506.3476. Thank you for your inquiry.

Kowa American Corp., M. Smith  
August 1, 2012  
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Sincerely,

A handwritten signature in black ink, appearing to read 'W.D. Wiley', with a large, sweeping flourish at the end.

William D. Wiley, P.E.  
Director

Cc: Kevin Costello, MCAO  
Dennis Dickerson, MCAQD  
Ken Hooker, MCAQD  
Jo Crumbaker, MCAQD  
Cheri Dale, MCAQD  
Lucinda Swann, MCAQD