

**DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**



18 AAC 50

Air Quality Control

Adoption Draft

July 5, 2022

**Mike Dunleavy
Governor**

**Jason W. Brune
Commissioner**

18 AAC 50.025(a) is amended by adding a new paragraph to read:

(3) geographic areas classified as Class I areas under 18 AAC 50.015(c); **and**

(4) the Regional Haze Visibility Protection Area, which is the area identified in Volume II Section III.K.13.H. of the *State Air Quality Control Plan*, adopted by reference in 18 AAC 50.030.

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 11/26/2016, Register 220; am 09/15/2018, Register 227; am __/__/2022, Register ____)

Authority: AS 46.03.020 AS 46.14.010 AS 46.14.030

Editor's note: Complete descriptions of the special protection areas designated in this section, including maps, are provided in the state air quality control plan adopted by reference in 18 AAC 50.030.

The introductory language of 18 AAC 50.030(a) is amended to read:

(a) Volumes II and III of the *State Air Quality Control Plan* for implementing and enforcing the provisions of AS 46.14 and this chapter, revised as of {*adoption date of the regulations*} [MAY 25, 2022], are adopted by reference. The plan includes the following documents that are also adopted by reference:

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 9/4/98, Register 147; am 1/1/2000, Register 152; am 12/30/2000; Register 156; am 9/21/2001, Register 159; am 1/27/2002, Register 161; am 3/27/2002, Register 161; am 5/3/2002, Register 162; am 2/20/2004, Register 169; am 6/24/2004, Register 170; am 10/1/2004, Register 171; am 12/14/2006, Register 180; am 12/30/2007, Register 184; am 5/17/2008, Register 186; am 7/25/2008, Register 187; am 11/9/2008, Register 188; am 5/6/2009, Register 190; am 11/4/2009, Register 192; am 4/1/2010,

Register 193; am 10/29/2010, Register 196; am 4/13/2011, Register 198; am 9/17/2011, Register 199; am 8/1/2012, Register 203; am 5/8/2013, Register 206; am 2/5/2015, Register 213; am 4/17/2015, Register 214; am 3/2/2016, Register 217; am 11/26/2016, Register 220; am 12/29/2016, Register 220; am 1/12/2018, Register 225; am 9/15/2018, Register 227; am 1/8/2020, Register 233; am 11/7/2020, Register 236; add'l am 11/7/2020, Register 236; am 12/25/2020, Register 236; am __/__/2022, Register ____)

Authority: AS 46.03.020 AS 46.14.030 Sec. 30, ch. 74, SLA 1993
AS 46.14.020 AS 46.14.140

18 AAC 50, Article 2 is amended by adding a new section to read:

18 AAC 50.265 Additional requirements for construction or operation of Title V permitted sources and operation of minor stationary sources within the regional haze special protection area. In accordance with Volume II, Section III.K.13.H. of the *State Air Quality Control Plan*, adopted by reference in 18 AAC 50.030, in addition to meeting all requirements in 18 AAC 50 as applicable, all stationary sources that require a permit, are located or operating within the area defined in 18 AAC 50.025(a)(4), and contain fuel burning equipment or industrial processes, shall:

(a) maintain onsite for 10 years, records of any maintenance to any significant emissions unit that does not meet the definition of an “insignificant emissions unit” under 18 AAC 50.326(d) - (i), that has or may have an effect on any emission that affects visibility of Class I areas, including critical maintenance that has occurred or is planned to occur, including all schedules, practices, and maintenance records for each significant emissions unit and control device according to the manufacturer’s emission-related written instructions;

(b) if the applicant has not previously submitted the information necessary for the state to compile the national emission inventory as required in 40 C.F.R. 51, Subpart A, as revised as of July 1, 2022, and adopted by reference, then include that information in accordance with 18 AAC 50.200; and

(c) upon request by the department, submit copies of the information required under (a)(1) of this section;

(d) ensure that an application for a construction permit, new permit, permit renewal, or permit modification specifically addresses information related to possible impacts on the reasonable further progress goals for Class I areas, as identified in the *State Air Quality Control Plan*, adopted by reference in 18 AAC 50.030; in addition to the requirements found in Article 3 and Article 5 of this chapter, as applicable, the application must also include:

- (1) anticipated equipment major maintenance schedules, if applicable;
- (2) a best estimate of projected equipment life of significant emissions units, if known; for new construction, a permit requirement will be included to collect this information once an emissions unit is installed;

(3) an assessment of whether or not emissions resulting from the proposed project may impact the state’s reasonable further progress goals; and

(4) a description of mitigation measures to minimize any identified adverse impacts to the state’s reasonable further progress goals.

(e) implement mitigation measures identified in a permit to minimize any potential adverse impacts identified. (Eff. __/__/2022, Register __)

Authority: AS 46.03.020 AS 46.14.020 AS 46.14.130

AS 46.03.710 AS 46.14.030 AS 46.14.140

Register _____, _____ 2022

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AS 46.14.010

AS 46.14.120

AS 46.14.180