

## NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### BRIEF DESCRIPTION

The Department of Environmental Conservation (DEC) proposes changes to its air quality regulations, to adopt current U.S. Environmental Protection Agency (EPA) air quality regulations used in air quality control permits and EPA and Federal Highway Administration regulations needed to ensure that transportation projects funded by federal agencies protect air quality and conform to local air quality plans.

The Department of Environmental Conservation (DEC) proposes to adopt regulation changes in Title 18, Chapter 50 of the Alaska Administrative Code, dealing with air quality, the state air quality plan, air quality standards specific to the Mendenhall Valley area of Juneau, and conformity of federally funded transportation projects with air quality requirements and local air quality plans, including the following:

- **18 AAC 50.010(1)(A)** will be amended to include a cross-reference to an adopted test method.
- **18 AAC 50.015(b)(2)(A)** will be repealed and **18 AAC 50.015(e)** will be amended to re-designate the Mendenhall Valley Area of Juneau from "nonattainment" for coarse particulate matter (PM-10) to "attainment." These amendments reflect the fact that this area now meets the federal requirements for coarse particulates (PM10).
- **18 AAC 50.020** will be amended to establish the minor source baseline date for fine particulate matter (PM-2.5) in the Northern Alaska Intrastate Air Quality Control Region.
- **18 AAC 50.030** will be amended to adopt revisions to the State Air Quality Control Plan to address changes in federal regulations regarding the following topics: Conformity (Transportation and General), Clean Air Act Section 110 Infrastructure Certification (updated National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide (NO<sub>2</sub>) and sulfur dioxide (SO<sub>2</sub>)), and incorporating additional Appendix documents, including new regulations, and other documents that further support previously adopted plan revisions (Regional Haze Plan and Fairbanks Carbon Monoxide Limited Maintenance Plan).
- **18 AAC 50.035** and **18 AAC 50.215** will be amended to specify which quality assurance handbooks should be used when collecting meteorological data.
- **18 AAC 50.035** will be amended to reflect changes in Title 40 of the Code of Federal Regulations (C.F.R.), Parts 50 (national primary and secondary ambient air quality standards), 58 (ambient air quality surveillance), 60 (standards of performance for new stationary sources), and 63 (national emission standards for hazardous air pollutants for source categories) and to adopt appendices of 40 C.F.R. Parts 58, 60, and 63 for use in monitoring and reference method testing actions.
- **18 AAC 50.040** will be amended to update the adoption by reference revision dates of 40 C.F.R. parts to adopt the most recent applicable requirements for operating permits.
- **18 AAC 50.040** will be amended to remove sections that are not required for states to adopt, and to reflect the adoption of the definition for "regulated NSR pollutant" in 40 C.F.R. 51.165(A)(1)(xxxvii).
- **18 AAC 50.215(d)** will be amended to revise language applicable to modeling demonstrations.
- **18 AAC 50.220(c)(1)(E) and 18 AAC 50.220(c)(2)** will be amended to revise cross references to adopted-by-reference test methods in 18 AAC 50.035.
- **18 AAC 50.700 - 18 AAC 50.740 (Article 7)** will be amended to conform with the requirements of the federal 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59). SAFETEA-LU eliminates the requirement for states to adopt and submit General Conformity State Implementation Plans.

