



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Environmental
Conservation**

OFFICE OF THE COMMISSIONER

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September 9, 2016

Mr. Dennis J. McLerran
U.S. EPA Region 10
Regional Administrator's Office, RA-210
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Subject: SIP Submittal of Adoption Updates in 18 AAC 50

Dear Mr. McLerran:

This letter provides amendments to 18 AAC 50, Air Quality Control regulations, with an effective date of August 20, 2016. Specific provisions are submitted for EPA approval, while other provisions are included for informational purposes only, to show a complete record of the rulemaking.

On July 21, 2016, the Lt. Governor signed and filed the following changes to the Alaska Department of Environmental Conservation's (DEC) regulations in 18 AAC 50:

- amend 18 AAC 50.010(4) to adopt the current daily maximum eight-hour standard for ozone.
- repeal 18 AAC 50.010(7) because there are no longer any regulated sources in Alaska.
- amend 18 AAC 50.020(a) to establish a minor source baseline date for the South Central Alaska Intrastate Air Quality Control region for PM-2.5.
- amend 18 AAC 50.035(a)(3) to update the adoption by reference date of the Air Pollutant Emission Factors and provide a link to an Internet site where they can be found.
- amend 18 AAC 50.035(a)(7) to update the adoption by reference of the modeling program user's guide.
- amend 18 AAC 50.040(a) – (k) to update the adoption dates of federal regulations adopted by reference to maintain current, consistent permitting requirements.
- amend 18 AAC 50.040(a) to add new paragraphs to adopt new federal rules by reference to maintain current, consistent permitting requirements.
- repeal 18 AAC 50.055(a)(2) – (3) and (7) – (8); (b)(4) and (6); and (f) because there are no longer any regulated sources in Alaska.
- repeal 18 AAC 50.060 because there are no longer any regulated sources in Alaska.
- amend 18 AAC 50.215(a)(3) to adopt a cross-reference in the monitoring requirements to a previously adopted meteorological monitoring document.

- amend 18 AAC 50.345(o) to change the number of copies of reports required.
- amend 18 AAC 50.346(b) to update the adoption by reference date of revised standard conditions.
- amend 18 AAC 50.410(c) to ensure emissions are properly calculated.
- amend 18 AAC 50.502(c) to close a permitting loop-hole that allowed emissions increases below prevention of significant deterioration (PSD) level to occur without triggering minor permitting requirements.
- amend 18 AAC 50.542(b)(5) to clarify the timing of fast track permit actions.
- amend 18 AAC 50.542(d)(1) to clarify public notice requirements for alternative modeling approvals.
- amend Standard Condition I to align language to match regulatory language and add language to ensure emissions are properly calculated.
- amend Standard Condition VII to change the number of copies of reports required.
- amend Standard Condition XV to comply with changes made in reporting requirements and for language consistency.
- amend Standard Condition XVI to comply with changes made in reporting requirements.
- amend additional parts of 18 AAC 50.502 and 540 to include cross-references to new language in 18 AAC 50.502.

ADEC requests EPA approval of the applicable parts of the submission found in:

- 18 AAC 50.010(4);
- 18 AAC 50.020(a);
- 18 AAC 50.035(a)(3) and (a)(7);
- 18 AAC 50.040(f) and (h);
- 18 AAC 50.215(a)(3);
- 18 AAC 50.345(o);
- 18 AAC 50.502(c), (e), (f), (f)(1)(C), (f)(5), (g), (h)(3)(A), and (h)(3)(B);
- 18 AAC 50.540(c)(2)(A); and
- 18 AAC 50.542(b)(5) and (d)(1).

Additionally, ADEC requests EPA removal of the following repealed sections from the SIP:

- 18 AAC 50.055(a)(2), (a)(3), (a)(7), (a)(8), (b)(4), (b)(6), and (f); and
- 18 AAC 50.060

ADEC repealed these sections because there are no longer any applicable sources in Alaska.

The remaining adopted revisions to 18 AAC 50 are being provided for informational purposes only, to show a complete record of the rulemaking package.

We will submit the following documents via the EPA's eSIPS system. If requested, we can provide one paper copy and one electronic version of the following documents to Kristin Hall of your staff (note that the electronic version would be an exact duplicate of the paper copy):

- Lt. Governor's certified Filing Certificate for Permanent Regulations, including Signed Adoption Order and Memorandum of Filed Permanent Regulations, signed on July 21, 2016, with an effective date of regulations of August 20, 2016, and Delegation of the Lieutenant Governor's Authority;
- Notice of Public Comment Period, signed February 17, 2016;
- Affidavit of Notice of Proposed Adoption of Regulations and Furnishing of Additional Information, signed March 25, 2016;
- Affidavit of Publication for the Public Notice, Alaska Dispatch News, signed February 19, 2016;
- Notice of Cancellation of Oral Hearing;
- Affidavit of Cancellation of Oral Hearing, signed March 25, 2016;
- Public Review Draft of 18 AAC 50 regulations which shows the changes made to the regulations, with bold lettering as new language and bracketed language as old language, dated February 17, 2016;
- Responsiveness Summary, May 18, 2016;
- Affidavit of Agency Record of Public Comment, signed May 4, 2016;
- Adoption Draft of 18 AAC 50 regulations, dated May 18, 2016;
- A copy of the tracked regulation amendments prepared by the Department of Law for transmittal to the Lt. Governor for certification and filing, with Register 219, October 2016, handwritten;
- Explanation of Changes, February 2016; and
- Standard Conditions I, VII, XV, and XVI, Revised May 18, 2016.

Denise Koch is available to your staff to respond to questions or to otherwise assist. She can be reached by phone at (907) 465-5109 or by email at: denise.koch@alaska.gov. As always, I would be pleased to discuss any of this with you.

Sincerely,



Larry Hartig
Commissioner

cc: Timothy Hamlin, Director, Office of Air and Waste, EPA Region 10
Kristin Hall, Office of Air and Waste, EPA Region 10
Alice Edwards, Deputy Commissioner, DEC
Denise Koch, Director, Division of Air Quality
John Kuterbach, Program Manager, APP Program, DEC