

NOTICE OF PROPOSED CHANGES ON AIR QUALITY CONTROL  
IN THE REGULATIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations on air quality and the Serious State Implementation Plan (SIP) for the Fairbanks North Star Borough (FNSB) nonattainment area. The proposed technical amendments are needed to demonstrate that the SIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt a regulation change in Title 18, Chapter 50 the Alaska Administrative Code, dealing with air quality and the Fairbanks North Star Borough (FNSB) nonattainment area, including the following:

18 AAC 50.030 is proposed to be amended to adopt revisions to the *State Air Quality Control Plan*. Those revisions include:

- a. revisions in Volume II, Section III.D.7: Fairbanks North Star Borough (FNSB) Fine Particulate Matter (PM<sub>2.5</sub>) Serious State Implementation Plan (SIP):
  - i. amending Section III.D.7.4: Ambient Air Quality Data and Trends, by adding subsection III.D.7.4.6.
  - ii. amending Section III.D.7.5: PM<sub>2.5</sub> Network & Monitoring Program, by adding subsection III.D.7.5.1.
  - iii. amending Section III.D.7.6: Emission Inventory, by amending subsection III.D.7.6.1.1, and adding subsection III.D.7.6.6.
  - iv. amending Section III.D.7.7: Control Strategies, by adding subsection III.D.7.7.12.
  - v. amending Section III.D.7.8: Modeling, by adding subsection III.D.7.8.14.
  - vi. repealing and readopting Section III.D.7.9: Attainment Demonstration – 2024.
  - vii. repealing and readopting Section III.D.7.10: Reasonable Further Progress and Quantitative Milestones.
  - viii. amending Section III.D.7.11: Contingency Measures, amending subsection III.D.7.11.1, by adding and renumbering subsections III.D.7.11.2, and III.D.7.11.3.
  - ix. amending Section III.D.7.12: Emergency Episode Plan, by amending subsection III.D.7.12.2, and Tables 7.12-1, 7.12-5, 7.12-6.
  - x. repealing and readopting Section III.7.14: Conformity and Motor Vehicle Emission Budget.
- b. amending Volume III Appendix to Volume II Section II to incorporate the proposed regulations after public review and comment. This appendix within the *State Air Quality Control Plan* contains the state's air quality regulations.

- c. amending Volume III Appendix to Volume II, Section III.D.7 to incorporate supporting documentation for proposed amended sections of the FNSB PM2.5 SIP listed above.

If adopted, ADEC will submit the applicable regulation revisions to the U.S. Environmental Protection Agency (EPA) for inclusion in the approved State Implementation Plan (SIP).

### **Posting**

The above list of proposed changes to the regulations only provides a summary of their subject matter. Copies of the proposed regulation changes and SIP amendments are available at <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-proposed-regulations/>. Materials not feasible to post, such as those that are copyrighted, may be viewed at the ADEC offices at the following locations: ADEC Anchorage Building, 555 Cordova St., Anchorage; ADEC Fairbanks Office Building, 610 University Avenue, Fairbanks; and ADEC Juneau Office Building, 410 Willoughby Ave., Second Floor. To arrange to view the materials, contact Rebecca Smith at 907-465-5121 or [rebecca.smith@alaska.gov](mailto:rebecca.smith@alaska.gov)

### **Comments**

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800.; or by facsimile at (907) 465-5129; or by e-mail to [dec.air.comment@alaska.gov](mailto:dec.air.comment@alaska.gov); or by the electronic comment form at <https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments>. **The comments must be received not later than 11:59 p.m. on Thursday, October 29, 2020.** Comments received after this date will not be considered in final action on these rules and the air quality plan.

### **Hearings**

The Department will also hold a public hearing on this proposal via teleconference. You may provide oral comments relevant to the proposed action **via telephone** at the hearing scheduled to be held on **Thursday, October 15, 2020, from 6:00 p.m. – 7:30 p.m.; by calling the Legislative Information Office (LIO) at 844-586-9085.**

**Due to public health and safety concerns associated with the COVID–19 pandemic, there will not be in-person attendance provided at the hearing site, so please prepare to share your oral comments by telephone only.** Callers should be on the line **before** the hearing begins at 6:00 p.m. if they would like to provide oral testimony so that we can document contact information for the record and determine the order of testimony. Prior to the start of the hearing, ADEC may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided. The hearing may be extended for a reasonable amount of time to accommodate those present before 7:30 p.m. who did not have an opportunity to comment prior to that time.

### **Questions**

You may submit written questions relevant to the proposed action to ADEC using the electronic question form link found on <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-proposed->

[regulations/](#); by electronic mail to [dec.air.comment@alaska.gov](mailto:dec.air.comment@alaska.gov); or by mail to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800. Questions may also be submitted verbally in testimony at the public hearing. The Department will aggregate its response to substantially similar questions and make the questions and responses available on <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-questions-answers/>. The questions must be received at least 10 days before the end of the public comment period, **Monday, October 19, 2020**. The Department may, but is not required to, answer written questions received after Monday, October 19, 2020, the cut-off date.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Kate Orozco at (907) 465-6171 or [kate.orozco@alaska.gov](mailto:kate.orozco@alaska.gov) not later than Thursday, October 8, 2020, to ensure that any necessary accommodations can be provided.

After the public comment period ends, the ADEC will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

**Statutes being implemented, interpreted, or made specific:** AS 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

ADEC, Division of Air Quality keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Division of Air Quality notices of proposed regulation changes. To be added to or removed from the list, you may sign up on the Air Online Services (AOS) page at: <http://dec.alaska.gov/Applications/Air/airtoolsweb/Home/Index/>. A myAlaska account is required to use the AOS system.

Date: September 10, 2020



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Jason W. Brune, Commissioner