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

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation (ADEC) proposes to change its air quality regulations to update adoption by reference dates of federal air quality regulations used in air quality control permits, clarify additional regulatory language, adopt federally required amendments to the state air quality plan, revise Standard Conditions, and repeal regulatory language no longer needed.

ADEC proposes to adopt regulation changes in Title 18, Chapter 50 of the Alaska Administrative Code, dealing with updated adoptions by reference, clarifying language, federally required amendments to the state air quality control plan, and regulation repeals, including the following:

- (1) amend 18 AAC 50.025 to update a geographic name.
- (2) amend 18 AAC 50.030 to adopt revisions to the *State Air Quality Control Plan* in:
 - a. Volume II Section III: Areawide Pollutant Control Program: Amend Section III.L: Interstate Transport of Pollution
 - b. Volume III Appendix to Volume II Section II: State Air Quality Control Program: Amend Clean Air Act Section 110 Infrastructure Certification Documentation.
- (3) amend 18 AAC 50.035(a)(3) to update the adoption by reference date of the Air Pollutant Emission Factors.
- (4) repeal 18 AAC 50.035(a)(7) to delete language no longer needed to support other language being repealed.
- (5) amend 18 AAC 50.035(a) by adding a new paragraph to adopt a new document.
- (6) amend 18 AAC 50.040(a) – (k) to update the adoption dates of federal regulations adopted by reference to maintain current, consistent permitting requirements.
- (7) amend 18 AAC 50.040(a) to add a new paragraph to adopt new federal rules by reference to maintain current, consistent permitting requirements.
- (8) amend 18 AAC 50.055(a) to clarify language.
- (9) amend 18 AAC 50.055(b)(3) to remove a reference to repealed language.
- (10) amend 18 AAC 50.079(b) to clarify language intent.
- (11) amend 18 AAC 50.215(c)(1) to update a reference within a federal document.
- (12) amend 18 AAC 50.215(c)(2) to remove the commissioner from the approval process.
- (13) repeal 18 AAC 50.215(e) to delete adoption of a federal dispersion model that becomes adopted by reference under 18 AAC 50.040(f).
- (14) amend 18 AAC 50.220(b)(2), (c)(3), (d)(1); 18 AAC 50.225(b)(2), (i); 18 AAC 50.230(b), (c)(1)(E); 18 AAC 50.235(b)(1); 18 AAC 50.260(g); 18 AAC 50.260(j); 18 AAC 50.260(l)(1); 18 AAC 50.326(d), (d)(1), (d)(1)(B), (d)(1)(C), (d)(2), (d)(3), (d)(5), (e), (f), (g), (g)(5), (g)(6), (g)(7), (g)(8), (g)(9), (h), (i); 18 AAC 50.345(h)(1), (m); 18 AAC 50.346(a), (b), (c), Table 7; 18 AAC 50.400(i)(4)(A)(ii), (i)(7)(A), (i)(8)(A)(iii); 18 AAC 50.410(d); 18 AAC 50.502(c)(2)(B), (f)(1)(B), (f)(2), (f)(3), (f)(4), (h)(4);

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- 18 AAC 50.540(c)(1)(A); 18 AAC 50.542(f)(6); 18 AAC 50.560(a);
18 AAC 50.990(8)(A), (65), (78) to correct an inconsistent spelling of a term
defined in 18 AAC 50.990(32).
- (15) amend 18 AAC 50.230(d)(1) to remove outdated language.
 - (16) amend 18 AAC 50.230(d)(2)(D) by adding language to clarify submission requirements.
 - (17) amend 18 AAC 50.230(e)(1)(A) to add language for minor permits.
 - (18) amend 18 AAC 50.311 by adding language to indicate what ammonia emissions are considered “significant” for nonattainment areas.
 - (19) amend 18 AAC 50.346(b) and 18 AAC 50.346(c) Table 7 to update the adoption by reference date of revised standard conditions and adopt a new standard condition.
 - (20) amend 18 AAC 50.540(c)(2) to update a cross reference.
 - (21) amend 18 AAC 50.990(40) and 18 AAC 50.990(121) to update the adoption dates of federal definitions adopted by reference to maintain current, consistent permitting requirements.
 - (22) amend Standard Condition I – XVI to align language to regulatory language, add language to ensure emissions are properly calculated, update regulatory citations, update hyperlinks, add language to comply with reporting requirements, update contact information for emissions inventory reporting, and make minor changes to language.

If adopted, the applicable regulation revisions will be submitted 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, Standard Conditions, and SIP amendments are available at

<https://dec.alaska.gov/air/air-permit/permit-regulations/2018-adoption-updates-proposal>

Materials not feasible to post or subject to copyright may be viewed at the ADEC office(s) at the following locations: ADEC Anchorage Building, 555 Cordova St., Anchorage; ADEC Fairbanks Office Building, 610 University Avenue; and ADEC Juneau Office Building, 410 Willoughby Avenue, Second Floor. To arrange to view the materials, contact Rebecca Smith at 907-465-5121 or rebecca.smith@alaska.gov or Teri Buck at 907-269-7695 or teri.buck@alaska.gov.

Questions

You may submit written questions relevant to the proposed action to ADEC using the electronic question form at <https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalQuestions> or by sending the questions to Rebecca Smith via e-mail at rebecca.smith@alaska.gov, or via mail to Rebecca Smith, ADEC Division of Air Quality, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, AK 99811-1800. Questions may also be submitted verbally in testimony at the public hearing, if it occurs. ADEC will aggregate its response to substantially similar questions and make the questions and responses available on <https://dec.alaska.gov/air/air-permit/permit-regulations/2018-adoption-updates-questions-answers>. The questions must be received at least 10 days before the end of the public comment period; **the question deadline is Friday,**

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February 23, 2018. The Department may, but is not required to, answer written questions received after Friday, February 23, 2018, the 10-day cut-off date.

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, ADEC Division of Air Quality, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, AK 99811-1800; by e-mail to rebecca.smith@alaska.gov; by facsimile at (907) 465-5129; or through the Air Quality Division's electronic comment submission web page at <https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments>. **The comments must be received not later than 5:00 p.m. on March 5, 2018.** Comments received after this date will not be considered in final action on these rules and the air quality plan.

Hearings

ADEC has tentatively scheduled a public hearing for these proposed regulations, on Wednesday, February 21, 2018, from 12:00 p.m. to 1:30 p.m. at the ADEC Anchorage Building, First Floor Conference Room, 555 Cordova St., Anchorage, Alaska. The public hearing will be held only if a request to hold a public hearing is received by ADEC by 5:00 p.m. on Thursday, February 15, 2018. You may request a public hearing by calling Rebecca Smith at 907-465-5121 between 9:00 a.m. and 5:00 p.m., Monday through Friday, by e-mailing a request to rebecca.smith@alaska.gov, or by calling Teri Buck at 908-269-7695 between 9:00 a.m. and 5:00 p.m., Monday through Friday. If no request for a public hearing is received by Tuesday, February 13, 2018, the public hearing will be cancelled. ADEC will announce the cancellation of the public hearing by publishing a public notice, by 5:00 p.m. on February 16, 2018, on these websites: <https://dec.alaska.gov/air/air-permit/permit-regulations/2018-adoption-updates-proposal>, <http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices>, and <http://dec.alaska.gov/commish/public-notices>. Oral or written comments may be submitted at the hearing, if a public hearing is conducted. If the public hearing occurs, there will be a call-in number if you are not able to attend the meeting in person. The call-in number will be 1-800-315-6338, and the Meet Me Code will be 75791#. If held, the hearing may be extended if necessary to accommodate those present before 1:00 p.m. who did not have an opportunity to comment.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Natalie Wolfe at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 seven days prior to any open house or a public hearing to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Rebecca Smith at rebecca.smith@alaska.gov or (907) 465-5121.

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

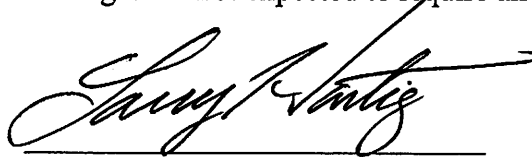
subject to public inspection.

Statutory authority: AS 37.10.050, AS 37.10.052, AS 37.10.058, AS 44.46.025, AS 46.03.020, AS 46.14.140, AS 46.14.240, AS 46.14.250, AS 46.14.255

Statutes being implemented, interpreted, or made specific: AS 37.10.050; AS 37.10.052; AS 37.10.058; AS 44.46.025; AS 46.03.020; AS 46.03.030; AS 46.03.710; AS 46.14.010; AS 46.14.020; AS 46.14.030; AS 46.14.211; AS 46.14.120; AS 46.14.130; AS 46.14.140; AS 46.14.150; AQ 46.14.160; AS 46.14.170; AS 46.14.180; AS 46.14.190; AS 46.14.200; AS 46.14.210; AS 46.14.220; AS 46.14.230; AS 46.14.240; AS 46.14.250; AS 46.14.255; AS 46.14.280; AS 46.14.285; AS 46.14.290; AS 46.14.300; AS 46.14.515; AS 46.14.560; Sec 30, ch 74, SLA 1993

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

Date: January 18, 2018

A handwritten signature in black ink, appearing to read "Larry Hartig", written over a horizontal line.

Larry Hartig, ADEC Commissioner