

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 add new regulations regarding electronic submission requirements and consistency of reporting methodologies for air permits.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt a regulation change in Title 18, Chapter 50 of the Alaska Administrative Code, dealing with new regulations for electronic submission requirements and consistency of emissions reporting methodologies for air permits, and updating an adoption by reference to federal requirements, including the following:

- (1) 18 AAC 50.030 is proposed to be amended by updating the *State Air Quality Control Plan* to amend Volume III Appendix to Volume II Section II to incorporate the proposed regulations after public review and comment. The intended effect of the amendments is to maintain consistency between the regulations and the *State Air Quality Control Plan*.
- (2) 18 AAC 50.040(g) is proposed to be amended by adding a new paragraph that would adopt by reference federal regulations for municipal solid waste landfills.
- (3) 18 AAC 50.270 is proposed to be added as a new section that would establish requirements for electronic submission of documents under air permits and authorizations, establish the procedures the department will follow to develop additional forms for electronic reporting requirements, and provide a definition of the Permittee Portal which will be used for electronic submissions.
- (4) 18 AAC 50.275 is proposed to be added as a new section that would require sources to use consistent pollutant-specific emissions factors and calculation methods for all reporting requirements under 18 AAC 50.

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 are available at the 2021 Electronic Submission Requirements and Consistency of Reporting Methodologies Regulations link on: <https://dec.alaska.gov/air/anpms/sip/revisions/>.

Comments

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by **submitting comments electronically** via our public notice site at <https://dec.alaska.gov/comment/>. If you are unable to submit

comments via this site, you may submit written comments to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800; by facsimile at (907) 465-5129; or by e-mail to dec.air.comment@alaska.gov. **The comments must be received not later than 11:59 p.m. on Monday, December 13, 2021.** Comments received after this date will not be considered in final action on these rules and the air quality plan.

Hearings

DEC has tentatively scheduled a public hearing for these proposed regulations, to be held on Tuesday, November 30, 2021, from 12:00 p.m. to 2:00 p.m. via teleconference. The public hearing will be held only if a request to hold the public hearing is received by ADEC by 5:00 p.m. on Friday, November 19, 2021. 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, or by e-mailing a request to rebecca.smith@alaska.gov. Again, if no request for the public hearing is received by 5:00 p.m. on Friday, November 19, 2021, 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 Monday, November 22, 2021, on these websites: <https://dec.alaska.gov/air/anpms/sip/2021-electronic-submission-requirements-emissions-factors-regulations>, <https://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices>, and <https://dec.alaska.gov/commish/public-notices>. You may provide oral comments relevant to the proposed action **via telephone** at the hearing tentatively scheduled to be held on Tuesday, November 30, 2021, from 12:00 p.m. to 2:00 p.m. **by calling 1-800-315-6338; the Meet Me Code is 99549#.**

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 12:00 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. DEC 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 1:30 p.m. who did not have an opportunity to comment before the hearing would otherwise end.

Questions

You may submit written questions relevant to the proposed action to DEC by **submitting questions electronically via our public notice site at <https://dec.alaska.gov/comment/>**, by electronic mail to 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, if it occurs. The Department will aggregate its response to substantially similar questions and make the questions and responses available on <http://dec.alaska.gov/air/anpms/sip/2021-electronic-submission-requirements-emissions-factors-questions-answers>. The questions must be received at least 10 days before the end of the public comment period, Friday, December 3, 2021. The

Department may, but is not required to, answer written questions received after Friday, December 3, 2021, 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 Brian Blessington at (907) 269-6272 or brian.blessington@alaska.gov not later than Tuesday, November 23, 2021, 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 46.14.010; AS 46.14.020; AS 46.14.030; AS 46.14.140

Statutes being implemented, interpreted, or made specific: AS 46.14.010; AS 46.14.020; 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: October 20, 2021

Jason W. Brune, Commissioner