

DEPARTMENT OF ENVIRONMENTAL CONSERVATION



18 AAC 50

Air Quality Control

Public Comment Draft

Comment Period Ends
December 13, 2021, 11:59 P.M.

Mike Dunleavy
Governor

Jason W. Brune
Commissioner

The introductory language of 18 AAC 50.030(a) is amended to read:

(a) Volumes II and III of the *State Air Quality Control Plan* for implementing and enforcing the provisions of AS 46.14 and this chapter, revised as of {*adoption date of the regulations*} [DECEMBER 25, 2020], are adopted by reference. The plan includes the following documents that are also adopted by reference:

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 9/4/98, Register 147; am 1/1/2000, Register 152; am 12/30/2000, Register 156; am 9/21/2001, Register 159; am 1/27/2002, Register 161; am 3/27/2002, Register 161; am 5/3/2002, Register 162; am 2/20/2004, Register 169; am 6/24/2004, Register 170; am 10/1/2004, Register 171; am 12/14/2006, Register 180; am 12/30/2007, Register 184; am 5/17/2008, Register 186; am 7/25/2008, Register 187; am 11/9/2008, Register 188; am 5/6/2009, Register 190; am 11/4/2009, Register 192; am 4/1/2010, Register 193; am 10/29/2010, Register 196; am 4/13/2011, Register 198; am 9/17/2011, Register 199; am 8/1/2012, Register 203; am 5/8/2013, Register 206; am 2/5/2015, Register 213; am 4/17/2015, Register 214; am 3/2/2016, Register 217; am 11/26/2016, Register 220; am 12/29/2016, Register 220; am 1/12/2018, Register 225; am 9/15/2018, Register 227; am 1/8/2020, Register 233; am 11/7/2020, Register 236; am 12/25/2020, Register 236; am __/__/____, Register ____; am __/__/____, Register ____)

Authority: AS 46.03.020 AS 46.14.030 Sec. 30, ch. 74, SLA 1993

AS 46.14.020 AS 46.14.140

The introductory language of 18 AAC 50.040(g) is amended to read:

(g) The following provisions of 40 C.F.R. Part 62 (Approval and Promulgation of State Plans for Designated Facilities and Pollutants), revised as of **May 21, 2021** [JULY 1, 2019], are adopted by reference as they apply to a Title V source:

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18 AAC 50.040(g) is amended by adding a new paragraph to read:

(6) Subpart OOO (Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014).

(Eff. 1/18/97, Register 141; am 6/14/98, Register 146; am 6/21/98, Register 146; am 7/2/2000, Register 154; am 6/1/2002, Register 162; am 8/15/2002, Register 163; am 10/1/2004, Register 171; am 12/3/2005, Register 176; am 7/25/2008, Register 187; am 12/9/2010, Register 196; am 9/14/2012, Register 203; am 1/4/2013, Register 205; am 10/6/2013, Register 208; am 11/9/2014, Register 212; am 4/17/2015, Register 214; am 8/20/2016, Register 219; am 9/15/2018, Register 227; am 11/7/2020, Register 236; am __/__/____, Register ____; am __/__/____, Register ____)

Authority: AS 46.03.020 AS 46.14.020 AS 46.14.030

AS 46.14.010

18 AAC 50 is amended by adding a new section to read:

18 AAC 50.270. Electronic Submission Requirements. (a) If an electronic form is available within the Permittee Portal for records or information required by the department, a person shall submit that information electronically using the designated form. The department will post, on its air quality Internet website, a list of records or information required to be

submitted electronically through the Permittee Portal and an effective date for the requirements to use the designated forms under (c) or (g) of this section.

(b) Upon department written approval, a person may submit required records or information using methods other than the method required in (a) of this section. If the person does not have reasonable access to equipment necessary to access the department's air quality Permittee Portal, the department may approve submission by alternative methods, including by letter, form, or electronic mail. Approval under this subsection is temporary and may not remain effective for more than one calendar year without the department's written extension of the approval.

(c) For records and information that must be submitted using electronic web forms that are available prior to *{adoption date of the regulations}*, unless already required to submit records or information electronically, the requirement to use the forms takes effect no later than *{one year after the adoption date of the regulations}*.

(d) For electronic web forms developed after *{adoption date of the regulations}* the department shall post a notice, on the department's Internet website, of the development of a new electronic web form and notify by email those permittees that may be affected.

(e) Upon completion of a new electronic web form, the department will provide an electronic test environment and a timeframe where affected entities may review and comment on the draft web form.

(f) After the review and expiration of the posted timeframe under (e) of this subsection, the department will make the new electronic web form and the effective date of required electronic submission available on the Permittee Portal. The effective date for new electronic

web forms will be at least one year after the completion of (e) of this section. The department will notify all affected parties, by email, of the new requirement and effective date.

(g) After new electronic web forms have been added to the Permittee Portal under (f) of this section and starting no later than their effective date, their use will be required for electronic submission of reports or information in accordance with established reporting deadlines.

(h) In this section, “Permittee Portal” is an online service provided by the department that allows registered organizations to conduct permit-related activities, such as submission of air quality compliance forms or open burn applications. (Eff. __/__/____, Register ____)

Authority: AS 46.03.020 AS 46.14.020 AS 46.14.140
AS 46.14.010 AS 46.14.030

18 AAC 50 is amended by adding a new section to read:

18 AAC 50.275. Consistency of Reporting Methodologies. (a) Regardless of permit classification, as of *{effective date of the regulations}*, all stationary sources operating in the state shall report actual emissions as required under 18 AAC 50 to the department, either upon request or to meet individual permit requirements, in order for the state to meet the federal reporting requirements under 40 C.F.R. Part 51, Subpart A.

(b) For the purposes of reporting actual and assessable emissions under any requirement of 18 AAC 50, stationary sources shall use consistent pollutant-specific emissions factors and calculation methods for all reporting requirements. (Eff. __/__/____, Register ____)

Authority: AS 46.03.020 AS 46.14.020 AS 46.14.140
AS 46.14.010 AS 46.14.030