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STATE OF ALASKA  
OFFICE OF THE LIEUTENANT GOVERNOR  
JUNEAU

MEMORANDUM

**To:** Gary Mendivil, AAC Contact  
Department of Environmental Conservation  
**Date:** April 6, 2009

**From:** Benjamin Shier  
Special Assistant *Ben Shier*  
**Telephone:** (907) 465-4081

**Re:** Filed Permanent Regulations: Department of Environmental Conservation  
State Air Quality Control Plan: 18 AAC 50.030(2); 18 AAC 50.075(c)

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Attorney General File: 993-09-0053  
Regulation Filed: 4/6/2009  
Effective Date: 5/6/2009  
Print: 190, July 2009

cc with enclosures: Linda Miller, Department of Law  
Jim Pound, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis  
Scott Sloane, DEC

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

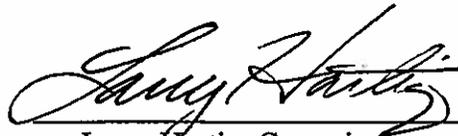
The attached two pages of regulations, dealing with Title 18, Chapter 50 of the Alaska Administrative Code, are hereby adopted and certified to be a correct copy of the regulation changes that the Department of Environmental Conservation adopts under the authority of AS 46.14.010, AS 46.14.020, AS 46.14.030, AS 46.14.140, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Department of Environmental Conservation paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

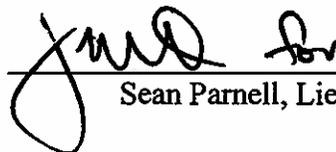
DATE: March 18, 2009  
Juneau, Alaska

  
Larry Hartig, Commissioner

FILING CERTIFICATION

Jason M. Hasley for

I, Sean Parnell, Lieutenant Governor for the State of Alaska, certify that on April 6,  
2009, at 11:59 a.m., I filed the attached regulations according to the provisions of AS 44.62.040  
- 44.62.120.

  
Sean Parnell, Lieutenant Governor

Effective: May 6, 2009.

Register: 190, July 2009.

FOR DELEGATION OF LIEUTENANT GOVERNOR'S AUTHORITY

I, SEAN PARNELL, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, as authorized by AS 44.62.080, designate the following State Official to perform the Administrative Procedures Act filing functions of the Lieutenant Governor:

JASON HOOLEY, DEPUTY CHIEF OF STAFF



IN TESTIMONY WHEREOF, I  
have signed and affixed the Seal  
of the State of Alaska, at  
Anchorage , on November 14,  
2008.

*Sean Parnell*  
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SEAN PARNELL  
LIEUTENANT GOVERNOR

The lead-in language of 18 AAC 50.030 is amended to read:

**18 AAC 50.030. State air quality control plan.** Volumes II and III of the *State Air Quality Control Plan* for implementing and enforcing the provisions of AS 46.14 and this chapter, as amended through **February 20, 2009** [APRIL 4, 2008], are adopted by reference.

The plan includes the following documents which are also adopted by reference:

...

18 AAC 50.030(2) is amended to read:

(2) the Code of the City and Borough of Juneau, Alaska, Chapter 36.40, amended by the provisions of Ordinance of the City and Borough of Juneau, Alaska, Serial No. **2008-28**, **sec. 2** [91-52];

(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 5/6/09, Register 190)

**Authority:** AS 46.03.020 AS 46.14.030 Sec. 30, ch. 74, SLA 1993  
AS 46.14.020 AS 46.14.140

18 AAC 50.075(c) is amended to read:

(c) In the Mendenhall Valley wood smoke control area identified in 18 AAC 50.025(b),

Register 190, July 2009 ENVIRONMENTAL CONSERVATION

a person may not violate or cause a violation of a provision of the Code of the City and Borough of Juneau, Alaska, Chapter 36.40, as amended by the provisions of the Ordinance of the City and Borough of Juneau, Alaska, Serial No. 2008-28, sec. 2 [91-52], adopted by reference in 18 AAC 50.030. (Eff. 1/18/97, Register 141; am 5/6/09, Register 190)

**Authority:** AS 46.03.020 AS 46.14.020 Sec. 30, ch. 74, SLA 1993  
AS 46.14.010 AS 46.14.030