

**DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**



18 AAC 50

AIR QUALITY CONTROL

Public Comment Draft

April 29, 2013

**Comment Period Ends
June 3, 2013, 5:00 p.m.**

**Sean Parnell
Governor**

**Larry Hartig
Commissioner**

18 AAC 50.015(b)(2)(B) is repealed:

(B) repealed / / [EAGLE RIVER AREA OF ANCHORAGE].

...

18 AAC 50.015 is amended by adding a new subsection to read:

(e) The following area is subject to maintenance plan requirements for PM-10, as required under 42 U.S.C. 7505a, and as adopted by reference in 18 AAC 50.030 as part of the state air quality control plan: Eagle River area of Anchorage.

(Eff. 1/18/97, Register 141; am 2/20/2004, Register 169; am 6/24/2004, Register 170; am 10/10/2004, Register 171; am 12/9/2010, Register 196; am __/__/____, Register ____)

Authority: AS 46.03.020 AS 46.14.010 AS 46.14.030

...

The lead-in language of 18 AAC 50.040(a) is amended to read:

(a) The following provisions of 40 C.F.R. Part 60 (Standards of Performance for New Stationary Sources), as revised as of **April 24, 2013** [JULY 1, 2011], are adopted by reference as they apply to a Title V source [, EXCEPT THAT THE PROVISIONS ADOPTED BY REFERENCE IN (2)(JJ) AND (LL) OF THIS SUBSECTION ARE ADOPTED BY REFERENCE AS OF OCTOBER 8, 2009 AS THEY APPLY TO A TITLE V SOURCE]:

...

18 AAC 50.040(a)(2) is amended by adding new subparagraphs to read:

(TT) Subpart Ja (Standards of Performance for Petroleum Refineries for Which Construction, Reconstructions, or Modification Commenced After May 14, 2007);

(UU) Subpart VVa (Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstructions, or Modification Commenced After November 7, 2006);

(VV) Subpart GGGa (Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstructions, or Modification Commenced After November 7, 2006);

(WW) Subpart OOOO (Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution);

...

The lead-in language of 18 AAC 50.040(b) is amended to read:

(b) The following provisions of 40 C.F.R. Part 61 (National Emission Standards for Hazardous Air Pollutants), as revised as of **July 1, 2012** [JULY 1, 2011], are adopted by reference as they apply to a Title V source:

...

The lead-in language of 18 AAC 50.040(c) is amended to read:

(c) The following provisions of 40 C.F.R. Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories), as revised as of **April 24, 2013** [FEBRUARY 17, 2011], are adopted by reference as they apply to a Title V source:

...

18 AAC 50.040(c) is amended by adding new paragraphs to read:

(36) Subpart EEEEEEE (National Emission Standards for Hazardous Air

Pollutants: Gold Mine Ore Processing and Production Area Source Category);

(37) Subpart DDDDD (National Emission Standards for Hazardous Air

Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and

Process Heaters);

(38) Subpart UUUUU (National Emission Standards for Hazardous Air

Pollutants: Coal- and Oil-Fired Electrical Utility Steam Generating Units);

(39) Subpart JJJJJ (National Emission Standards for Hazardous Air

Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers).

...

The lead-in language of 18 AAC 50.040(d) is amended to read:

(d) The provisions of 40 C.F.R. Part 82, as revised as of **July 1, 2012** [JULY 1, 2011], are adopted by reference to the extent that they apply to a Title V source.

...

The lead-in language of 18 AAC 50.040(e) is amended to read:

(e) The requirements of 40 C.F.R. 52.70 - 40 C.F.R. 52.97, as revised as of **March 18, 2013** [JULY 1, 2011], as they apply to a Title V source and for purposes of a Title V permit, are adopted by reference.

...

The lead-in language of 18 AAC 50.040(f) is amended to read:

(f) The provisions of 40 C.F.R. Part 51, Appendix W (Guideline on Air Quality Models), as revised as of **July 1, 2012** [JULY 1, 2011], are adopted by reference **as they apply to a Title V source.**

...

The lead-in 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), as revised as of **July 1, 2012** [JULY 1, 2011], are adopted by reference **as they apply to a Title V source:**

...

The lead-in language of 18 AAC 50.040(h) is amended to read:

(h) The following provisions of 40 C.F.R. 51.166 (Prevention of Significant Deterioration of Air Quality) and 40 C.F.R. Part 52 (Approval and Promulgation of Implementation Plans), as revised as of **April 1, 2013** [JULY 1, 2011], are adopted by reference:

...

18 AAC 50.040(h)(4)(C) is amended by adding a new sub-subparagraph to read:

(C) **the following provisions are not adopted, and the terms defined in those provisions have the meanings given in 18 AAC 50.990:**

(i) 40 C.F.R. 52.21(b)(51) (“reviewing authority”) [IS NOT ADOPTED, AND THE TERM DEFINED IN THAT PROVISION HAS THE MEANING GIVEN IN 18 AAC 50.990];

(ii) 40 C.F.R. 52.21(b)(20) (“fugitive emissions”);

...

The lead-in language of 18 AAC 50.040(i) is amended to read:

(i) From the following provisions of 40 C.F.R. 51.165 (Permit Requirements), as revised as of **July 1, 2012** [JULY 1, 2011], text setting out provisions that a state implementation plan shall or may contain is adopted by reference as follows:

...

18 AAC 50.040(i)(1)(B) is amended by adding a new sub-subparagraph to read:

(iii) 40 C.F.R. 51.165(1)(1)(ix) (“fugitive emissions”);

...

18 AAC 50.040(i)(4) is repealed:

(4) **repealed** / / _____ [40 C.F.R. 51.165(a)(4) (Fugitive Emissions)];

...

The lead-in language of 18 AAC 50.040(j) is amended to read:

(j) The following provisions of 40 C.F.R. Part 71 (Operating Permits), as revised as of **July 1, 2012** [AUGUST 2, 2010], are adopted by reference **as they apply to a Title V source,** except as provided in 18 AAC 50.326:

...

The lead-in language of 18 AAC 50.040(k) is amended to read:

(k) The provisions of 40 C.F.R. Part 64, as revised as of **July 1, 2012** [JULY 1, 2011], are adopted by reference to the extent that they apply to a Title V source.

(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 __/__/____, Register ____)

Authority: AS 46.03.020 AS 46.14.020 AS 46.14.030
AS 46.14.010

...

18 AAC 50.225(b)(7) is repealed:

(7) ~~repealed~~ / / ____ [IF APPLYING ALL LIMITS DOES NOT AVOID ALL PERMIT CLASSIFICATIONS UNDER AS 46.14 AND THIS CHAPTER, A DESCRIPTION, AND IF NECESSARY AN APPLICATION, FOR THE REMAINING CLASSIFICATIONS];

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am 1/29/2005, Register 173; am 7/25/2008, Register 187; am 12/9/2010, Register 196; am 9/14/2012, Register 203; am __/__/____, Register ____)

Authority: AS 46.14.020 AS 46.03.020 AS 46.14.140
AS 46.14.030 AS 46.14.120

...

18 AAC 50.260(a)(1)(A) is amended to read:

(A) “fugitive emissions” has the meaning given in 18 AAC 50.990 [AS 46.14.990];

(Eff. 12/30/2007, Register 184; am 7/1/2010, Register 194; am __/__/____, Register ____)

Authority: AS 46.03.710 AS 46.14.010 Sec. 30, ch. 74, SLA 1993

AS 46.14.020

AS 46.14.030

...

18 AAC 50.321(f)(2) is amended to read:

(2) terms used in this section that are not defined in 40 C.F.R. 63.41 have the meaning given in the Clean Air Act and 40 C.F.R. 63, Subpart A, except that “construction,” “emission standard,” [“FUGITIVE EMISSIONS,”] “hazardous air pollutant,” “operator,” “owner,” “potential to emit,” and “stationary source” have the meanings given in AS 46.14.990 **and “fugitive emissions” has the meaning given in 18 AAC 50.990.**

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am __/__/____, Register __)

Authority: AS 46.14.010(a) AS 46.14.020

...

18 AAC 50.990(40) is amended to read:

(40) "fugitive emissions" has the meaning given in **40 C.F.R. 51.166(b)(20), as revised as of July 1, 2012, and adopted by reference** [AS 46.14.990];

...

18 AAC 50.990(121) is amended to read:

(121) “volatile organic compound” or “VOC” has the meaning given in 40 C.F.R. 51.100(s), as revised as of **March 14, 2013** [JULY 1, 2009], and adopted by reference;

(Eff. 1/18/97, Register 141; am 6/14/98, Register 146; am 6/21/98, Register 146; am 9/4/98, Register 147; am 11/4/99, Register 152; am 1/1/2000, Register 152; am 2/2/2002, Register 161; am 5/3/2002, Register 162; am 11/15/2002, Register 164; am 8/8/2003, Register 167; am

10/1/2004, Register 171; am 12/3/2005, Register 176; am 12/30/2007, Register 184; am 7/25/2008, Register 187; am 4/1/2010, Register 193; am 12/9/2010, Register 196; am 9/17/2011, Register 199; am 9/14/2012, Register 203; am __/__/____, Register ____)

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|-------------------|--------------|--------------|---------------------------|
| Authority: | AS 44.46.025 | AS 46.14.140 | AS 46.14.250 |
| | AS 46.03.020 | AS 46.14.150 | AS 46.14.255 |
| | AS 46.03.710 | AS 46.14.160 | AS 46.14.280 |
| | AS 46.14.010 | AS 46.14.170 | AS 46.14.285 |
| | AS 46.14.020 | AS 46.14.180 | AS 46.14.290 |
| | AS 46.14.030 | AS 46.14.210 | AS 46.14.300 |
| | AS 46.14.120 | AS 46.14.230 | AS 46.14.560 |
| | AS 46.14.130 | AS 46.14.240 | Sec. 30, ch. 74, SLA 1993 |