

**ALASKA DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**



**Amendments to:
State Air Quality Control Plan**

Vol. II: III.D.7.11

Contingency Measures

DRAFT

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Jason W. Brune, Commissioner

7.11. Contingency Measures

Section 172(c)(9) of the CAA requires nonattainment plans to “provide for the implementation of specific measures to be undertaken if the area fails to make reasonable further progress, or to attain the national primary ambient air quality standard by the (applicable) attainment date” It further states that such contingency measures shall be structured to take effect, if triggered, without any further action by the State or EPA.

The fully adopted rules or control measures discussed in this section are ready to be implemented, without significant additional action (or only minimal action) by the State, as expeditiously as practicable upon a determination by U.S. EPA that the area has failed to achieve, or maintain reasonable further progress, or attain the NAAQS by the applicable statutory attainment date.

7.11.1. State Regulatory Contingency Measures

In addition to these important efforts that are underway, DEC has included in its regulations a measure that will act as the contingency measure for the serious area plan. This serious nonattainment area SIP for the FNSB PM_{2.5} nonattainment area shows that it is not possible for the area to demonstrate attainment by the serious area attainment deadline of 2019. The trigger for this measure is proposed to occur upon an EPA finding of failure to attain by the 2019 attainment date.

7.11.1.1 Requiring Older EPA certified devices to be removed.

As described previously, replacing older wood heating devices with new, cleaner units is an important strategy in reducing PM_{2.5} air pollution in the community. Focus continues on uncertified devices. However, a control measure targeting the older EPA certified devices will provide additional emission reduction benefits. In order to ensure that older wood heating devices are turned over at a substantial rate, DEC has established a future contingency measure in 18 AAC 50.077 that requires older wood fired heating devices to be replaced upon the sale of a property. The contingency measure also provides the ability for limited temporary waivers.

7.11.1.2. Requiring removal of Older EPA certified devices When Properties Are Sold

As described previously, replacing old wood heating devices with new, cleaner units is an important strategy in reducing PM_{2.5} air pollution in the community. In order to ensure that older wood heating devices are turned over at a substantial rate, DEC has established a future contingency measure in 18 AAC 50.077 that requires older wood fired heating devices to be replaced upon the sale of a property. The contingency measure also provides the ability for limited temporary waivers.

7.11.2. Process for Identifying Additional Contingency Measures

The FNSB and DEC continue to seek additional measures that may be developed and considered for implementation in the coming years. Working with the local community and elected officials, the agencies will evaluate additional measures that can be integrated into the air quality planning process and included in future revisions to the area's air quality State Implementation Plan. Once measures are implemented, the Borough will track monitoring data and determine in consultation with DEC whether additional controls are needed.