

In The Matter Of:
*Proposed Regulation Amendments to
Alaska Administrative Code, Title 18, Chapter 50*

June 26, 2019

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1 DEPARTMENT OF ENVIRONMENTAL CONSERVATION

2
3 Proposed Regulation Amendments to

4
5 Alaska Administrative Code, Title 18, Chapter 50

6
7 Wednesday, June 26, 2019

8 Fairbanks, Alaska

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DEC Members Present:

Jason Brune, DEC Commissioner

Alice Edwards, Air Quality Director

Cindy Heil, Environmental Program Manager

Steven Hoke, Environmental Program Specialist

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1 WEDNESDAY, JUNE 26, 2019

2 FAIRBANKS, ALASKA

3 12:00 P.M.

4

5 COMMISSIONER BRUNE: Good afternoon, everyone.

6 The time is 12:00. And welcome to the hearing. The
7 public hearing has now started. Please open the public
8 record.

9 My name is Jason Brune, the Alaska Department
10 of Environmental Conservation commissioner. Today's date
11 is June 26, 2019. It is 12 p.m. in Fairbanks, Alaska.

12 The purpose of today's public hearing is to
13 receive testimony on proposed regulation amendments to
14 Alaska Administrative Code, Title 18, Chapter 50, which is
15 being revised to update adoption by reference dates of
16 federal air quality regulations used in air quality
17 control permits, clarify additional regulatory language,
18 adopt federally required amendments to the state air
19 quality plan, revise Standard Conditions, and repeal
20 regulatory language no longer needed.

21 The proposed regulation revisions include the
22 following:

23 18 AAC 50.030 is amended to adopt revisions to
24 the State Air Quality Control Plan, including adding a new
25 section -- Volume II, Section III.D.7: Fairbanks North

1 Star Borough (FNSB) Fine Particulate Matter (PM-2.5)
2 Serious State Implementation Plan (SIP) and amending
3 Volume III Appendix to Volume II, Section II to
4 incorporate the proposed regulations after public review
5 and comment.

6 18 AAC 50.075 is amended to add requirements
7 regarding visible emissions.

8 18 AAC 50.076 is amended to add requirements
9 for wood sellers.

10 18 AAC 50.077 is amended to add requirements
11 for wood-fired heating devices within the serious
12 nonattainment area.

13 18 AAC 50.078 is a new section to add new
14 control measures related to diesel fuel use and smaller
15 commercial sources of PM-2.5 within the serious
16 nonattainment area.

17 18 AAC 50.079 is amended to add requirements
18 for coal-fired heating devices.

19 18 AAC 50.990 is amended to add definitions
20 for catalytic oxidizer, charbroiler, chain-driven
21 charbroiler, and used oil.

22 Today's hearing does not include a forum for
23 questions and answers. There is a handout in the back of
24 the room with additional information on the proposed
25 regulations and public comment options, including the DEC

1 Web site address for this effort and where you can provide
2 comments online. There is no requirement to provide both
3 oral and written testimony. All testimony is treated
4 equally.

5 Your testimony may include questions for the
6 department regarding the proposed regulations. All
7 questions received before July 16th, 2019, at 5 p.m.,
8 either in writing or at a public hearing, will be
9 answered. Answers will be posted on our Web site before
10 the close of the public comment period.

11 With us today we have members of the DEC
12 staff, as well as what appears to be around 30 members of
13 the public. The importance of public hearings and
14 comments for agency decisions is very important, and we
15 value your participation. Your input at this hearing is
16 one of the principal ways to contribute to the
17 decision-making process. Your comments may influence the
18 final regulations and will help us to better serve you and
19 other Alaskans.

20 So the requirements on the public hearing --
21 many of you have already done this, but we need everyone
22 to please sign in if you wish to testify. The sign-up
23 sheet will set the order of testimony. Anyone who is
24 present and has signed in before 1:30 p.m., when this
25 hearing is scheduled to close, will be given the

1 opportunity to testify. All testimony will be accepted
2 during the public hearing, but it will not be addressed
3 until after the close of the public comment period on July
4 26th, 2019. We will also accept written comments at this
5 hearing. The department will accept written comments
6 until July 26, 2019, at 5 p.m.

7 Please deliver or mail comments to the
8 attention of the Department of Environmental Conservation,
9 Division of Air Quality, 555 Cordova Street, Anchorage,
10 Alaska 99501, Attention: Cindy Heil.

11 Or you can fax them to (907) 269-7508.

12 E-mail them to dec.air.comment@alaska.gov.

13 Or they can be submitted online via
14 dec.alaska.gov/applications/air/airtoolsweb/formalcomments

15 For today's testimony we are going to have a
16 three-minute limit for individuals, and a five-minute
17 limit for individuals representing groups. Please
18 identify whether you are testifying as an individual or a
19 group at the start of your testimony.

20 When you do come up, we will ask everyone to
21 please state your name for the record and spell it out for
22 Crystal so that she can get it accurately put into the
23 record. Do state the organization if you do represent one
24 and your mailing address for the record.

25 When all of the signed-up people have been

1 given the opportunity to testify, I will ask again if
2 others wish to testify in the room. And otherwise, I will
3 go off record unless new people would like to testify.

4 So with that, I have a list and there is an
5 additional list in the back, if you haven't had the
6 opportunity to sign up. I am going to read three names.
7 The first will come up to testify, and the other two will
8 be the next two that will be on deck and in the hole, to
9 use a baseball analogy, and we will continue that until we
10 get through this list.

11 So that being said, we have John Brading.

12 MR. JOHN BRADING: Brading.

13 COMMISSIONER BRUNE: Brading. I'm sorry. I'm
14 doing my best to read. And on deck is going to be Owen Q.
15 Hanley, and in the hole will be Liz Greig.

16 So, Mr. Brading, please come up and give your
17 testimony and state your name for the record, please.
18 Thank you for being here.

19 MR. JOHN BRADING: John Brading. J-o-h-n
20 B-r-a-d-i-n-g. And I live at 2204 Steese Highway,
21 Fairbanks, Alaska 99712.

22 I'd like to address the proposed regulation
23 concerning PM-2.5, the sulfur dioxide issue. So PM-2.5 is
24 also made up of elements identified as precursor
25 pollutants. Sulfur dioxide is one of those. Sulfur

1 dioxide, SO2 is the second largest component of the PM-2.5
2 problem. SO2 comes from the sulfur in home heating fuel
3 and other diesel and coal combustion. Diesel Number 2 has
4 2,566 parts per million of sulfur, while Diesel Number 1
5 has only 896 parts per million.

6 And this information -- this next information
7 is concerned about the same issue, but I have the list
8 that comes from the State of Alaska, Department of
9 Environmental Conservation, Office of the Commissioner,
10 dated December 14th, 2007, when Sarah Palin was governor.
11 And it was written to the Environmental Protection Agency,
12 Region 10. And I'm going to pull out the parts that deal
13 with the emissions concerning SO2, sulfur dioxide.

14 Inversion zones' conditions together with
15 local emissions of PM-2.5, and its precursor, especially
16 sulfur dioxide, can cause episodes of elevated PM-2.5
17 concentration. That was on page number 5.

18 And this is page number 10, and this concerns
19 sulfates. It says that a likely source of sulfate dioxide
20 emissions and atmospheric sulfate is fuel burning for
21 space heating homes.

22 And then there is page 12 that concerns the
23 same issue.

24 Page number 16 talks about sulfur. And that's
25 all from that particular one back in December 14th, 2007.

1 So my question is 13 years ago this
2 information about sulfur has been on record at the DEC and
3 at EPA, and yet it never was put -- it never was told to
4 us that by changing to a -- the Diesel Number 1 versus
5 Number 2 for the last 13 years would have reduced a
6 considerable amount of PM-2.5 for 13 years, and it has not
7 been done. But you had the news; you had the information.
8 Other groups, not this particular group of people at the
9 DEC, but back when Sarah Palin was governor -- that group
10 put this info into this document that I have --

11 COMMISSIONER BRUNE: Mr. Brading, if I could
12 ask you to please finish your comments. Your three
13 minutes is up. And you can continue the question, but if
14 you want that question -- if you have further to add to
15 that you can either submit it in writing or you can please
16 try to hurry up with the question.

17 MR. JOHN BRADING: That's good enough. I just
18 wanted to know when -- why it wasn't put in there 13 years
19 ago to use number 1 instead of number 2. Because a
20 tremendous amount of PM-2.5 that's involved in that, it
21 could have reduced it. We might not even be here today
22 talking about it if they had done that 13 years ago, put
23 in number 1. That's my comment.

24 COMMISSIONER BRUNE: Okay. Thank you, Mr. Brading.
25 We will address that question formally. And we appreciate

1 your comments today. Thank you for your testimony today.

2 Next up is Owen Q. Hanley, followed by Liz
3 Greig and Lisa Baraff.

4 MS. BARAFF: No. I'm not testifying. I put
5 it on there.

6 COMMISSIONER BRUNE: Oh, okay. I'm so sorry,
7 Lisa.

8 John Denny will be testifying after Liz.

9 Mr. Hanley.

10 DR. OWEN Q. HANLEY: Thank you for taking
11 testimony. So the SIP, I'm really happy, the SIP has lots
12 of elements needed to help solve our air quality problem.

13 Two things are lacking. One is resources, and
14 the second is site enforcement power. So ADAC has taken
15 on a big project without new staffing or funding to carry
16 it out. This is going to take money and manpower.

17 There are 14,000 wood stoves, approximately,
18 in the borough, and compliance has been poor in the past.
19 So 30 percent or 40 percent noncompliant with burning
20 restrictions. So that's -- even if you have a 10 percent
21 noncompliance rate, that's 1,400 people who may be burning
22 when they're not supposed to. Even if only 10 percent of
23 those are reported, that's 140 complaints. It's going to
24 take someone to verify that those are real and not
25 mistakes.

1 So we're going to need a significant staff to
2 go out and verify that people are really doing what they
3 shouldn't do and be given a message and education to do
4 the right thing.

5 Second, ADAC doesn't have citation authority.
6 People are going to ignore speed limits if it has no
7 consequences. So education and letters are a good
8 first-time plan, but for those who repeatedly ignore the
9 burn restrictions that have been put up, we're going to
10 have to have some consequence that can be officially
11 carried out. Otherwise, ADAC's words won't be taken
12 seriously. We'll have poor compliance and little program.

13 And I think judicial processes are just
14 cumbersome and aren't going to do it. So I think having
15 adequate resources and citation authority will show the
16 public that ADAC is serious. It's human nature to behave
17 better when people are watching and there are
18 consequences.

19 So I request ADAC to ask the governor and the
20 legislature for both, adequate resources to carry out the
21 job it's taken on, and citation authority to use when it's
22 needed to help it succeed. I think just having the
23 citation authority may greatly reduce the need to use it,
24 because people will know that it intends to do the job
25 it's been given. Thank you.

1 COMMISSIONER BRUNE: Thank you, Mr. Hanley,
2 for your testimony.

3 Next up is Lisa Baraff followed by John Denny
4 followed by Chad Schumacher.

5 Ms. Greig.

6 MS. LIZ GREIG: Liz Greig, G-r-e-i-g. 48
7 Farewell, Apartment B -- Farewell Avenue. Sorry --
8 Fairbanks, 99701.

9 So I live in Hamilton Acres, and that is one
10 of the most egregious communities in terms of PM-2.5
11 particulate levels in this area. That's an aside comment,
12 but I do live there, so I do breathe it.

13 What I'm really wanting to talk about is the
14 retrofit emission program -- it's not really a program.
15 It's proposed. There is going to be a group of people
16 forming a co-op for electrostatic precipitators. And the
17 reason I talk about this is because despite the size and
18 scope of the IGU LNG project, they are not going to be
19 able to meet the deadline of December 31st in terms of
20 mitigating the PM-2.5 levels -- by 2019, December 31st.

21 Electrostatic precipitators will go a long way
22 towards mitigating the PM-2.5 levels. In conversation
23 with Patrice Lee, who was working with a clean air group,
24 I asked her why is it that they -- and I've also spoken to
25 Mayor Bryce Ward about this -- why is it that you have

1 \$480,000 that you're spending to study something when
2 there is a gizmo available, the ESP -- I'm calling it "a
3 gizmo" -- that will actually affect, in a concrete manner,
4 the 2.5 emissions.

5 So in the course of conversation with Ms. Lee,
6 she said that the State is the one that has the control
7 over the air quality in our area here in Fairbanks. The
8 borough no longer has that control. The State does. So
9 that's why I'm addressing you.

10 And I would like to know that the State
11 considers the electrostatic precipitators a reasonable and
12 valid component of any plan that's put forward and that it
13 has the State's support, because it's a concrete
14 measurable difference, and that's what we need. It's a
15 pragmatic measure to take while we're waiting for other
16 projects to come down the pike and make an effect.

17 But in terms of the deadline, December 31st of
18 this year, I think that could be put into plan. Hopefully
19 not at the speed of government, but sooner.

20 COMMISSIONER BRUNE: Ms. Greig, thank you so
21 much for your testimony.

22 Next up, John Denny followed by Chad
23 Schumacher and William Rogers.

24 Mr. Denny.

25 MR. JOHN DENNY: My name is John Denny.

1 J-o-h-n D-e-n-n-y.

2 I'm speaking having worked with a couple
3 groups, primarily Golden Valley Electric, my employer, 758
4 Illinois Street, Fairbanks, Alaska 99701.

5 My comments today will be brief. We're
6 submitting a written comment for the commission and I
7 think they will be very telling environmentally where we
8 stand and how that impacts us.

9 I would urge consideration, though, with
10 regard to fuel changes, that we'd gain full understanding
11 of that market before changes are implemented. That's our
12 primary concern as it affects the rate payers and members
13 of the co-op within the community.

14 As I said, my comments are brief, but we
15 wanted to make sure to go on record with just that, that
16 we want to urge full understanding of the fuel market and
17 the potential changes that it might make and how that
18 might impact GVEA's members.

19 COMMISSIONER BRUNE: Thank you, Mr. Denny. I
20 appreciate your comments.

21 Next is Chad Schumacher followed by William
22 Rogers and Ken Hall.

23 Mr. Schumacher.

24 MR. CHAD SCHUMACHER: Good afternoon. My name
25 is Chad Schumacher. I'm the general manager of Superior

1 Pellet Fuels. I am here representing Superior Pellet
2 Fuels, as well as the Air Quality Stakeholders Coalition
3 which was a small group formed after the larger
4 stakeholders group organization from last fall.

5 My comments -- I'm sorry. And Schumacher is
6 S-c-h-u-m-a-c-h-e-r. My address is 508 West Fourth
7 Avenue, North Pole, Alaska 99705.

8 So my comments are specifically in regards to
9 the Air Quality Stakeholders Coalition. They are
10 submitting comments specific to the community input for
11 this serious SIP. Superior Pellet Fuels strongly supports
12 the comments that are being submitted through that Air
13 Quality Stakeholders Coalition, but I did want to
14 highlight a couple of those items.

15 Specifically in regards to solid fuel
16 suppliers. The first one, we recognize the value to the
17 community of solid fuels, wood pellets, firewood, and
18 coal, and support consistent standards for a responsible
19 solid fuel use. A major shortcoming of the EPA's
20 evaluation process is that it does not consistently apply
21 emission standards to solid fuel-burning devices. Instead
22 it focuses -- the focus should be on emission rates per
23 unit of energy rather than banning specific devices based
24 on fuel type alone.

25 The second item I wanted to highlight is in

1 regards to the solid fuel suppliers, we remain concerned
2 about the access and availability of dry firewood,
3 especially with the upcoming changes to -- and
4 requirements here in a couple years for dry firewood.
5 Which means we strongly encourage the community's
6 involvement and the DEC's support of a local community
7 kiln to be able to guarantee a controlled substances for
8 fuel from the firewood perspective.

9 And that the DEC, the Department of State
10 Forestry, and the borough's Land Management work together
11 to make more raw materials available in regards to
12 low-moisture-content wood: i.e., spruce bark
13 beetle-infested areas, fire mitigation, flood reclamation,
14 wind storm salvage. There are literally thousands of
15 acres within a hundred-mile radius of the Fairbanks area
16 that needs cooperation between the borough and the State
17 to develop access to those resources, but it would greatly
18 improve the availability of dry-firewood access for that
19 community use.

20 Access to those areas does require a lot of
21 cooperation, and unfortunately we haven't seen it work out
22 that way over the previous many years. But definitely
23 believe that it is something that could greatly impact the
24 overall access for dry firewood in our community. Thank
25 you.

1 COMMISSIONER BRUNE: Thank you,
2 Mr. Schumacher, for your comments.

3 For those that have come in since the start of
4 the hearing, I just want to remind everyone that there is
5 a sign-up sheet in the back. You can mark whether or not
6 you wish to testify on that, and we are going in order of
7 the folks that have signed up. In addition, when you do
8 testify, we'd ask that you give your name and spell it out
9 for Crystal. The individuals will be given three minutes;
10 organizations will be given five. If you are representing
11 an organization, please make sure you indicate that you
12 are representing them, and also your mailing address for
13 the record.

14 With that we have next William Rogers,
15 followed by Ken Hall, and then Patrice Lee.

16 So, Mr. Rogers, your testimony, please.

17 MR. WILLIAM ROGERS: Thank you.

18 William Rogers, R-o-g-e-r-s. I'm the owner of
19 McCafferty's Coffee House at 408 Cushman Street,
20 Fairbanks, Alaska.

21 I am speaking on particularly behalf of
22 myself, but there are four commercial coffee roasters in
23 Fairbanks that I am aware of. One of which is larger than
24 the other three.

25 Firstly, I want to make sure that I thank the

1 folks at DEC and the North Star Borough Air Quality folks
2 to include us, a small group of coffee roasters, in the
3 assessment and the rules that will be regulated upon our
4 small group. As I say, one roaster is much larger than
5 the other three.

6 Several years ago there was a bevy of
7 complaints to the, I guess, DEC that there was a lot of
8 coffee roasting smell in the area. I don't remember how
9 many years ago it was. But a couple of folks came around
10 from the DEC and visited all the coffee roasters and did a
11 visual assessment of opacity, as far as I understand.

12 Listed in the draft of BACM is something that
13 addresses opacity background. The DEC regulation imposes
14 emission limits on industrial processes and fuel-burning
15 equipment that are applicable to coffee roasting
16 operations in the North Star Borough. This regulates --
17 this regulation limits opacity visibility emissions to no
18 more than 20 percent average over any six consecutive
19 minutes.

20 I can only give the anecdote that when the
21 couple of guys from DEC came and looked at my coffee
22 roasting operation and read the opacity visibly, the
23 conversation literally went like -- we stood across the
24 way -- the conversation went, "She's going to start
25 roasting now."

1 "When's she going to start? Oh, she's done
2 already. Okay."

3 So the opacity was very limited. So the point
4 being that -- and I will segue on to the fact that in the
5 analysis in the short coffee roasting section in the DEC's
6 manual, the draft manual, the finding that the thermal
7 oxidizer is currently used and control emissions from a
8 facility located within the nonattainment area -- which
9 subsequent to that meeting of DEC with our group, with our
10 roasters, individual roasters, that large roaster did, in
11 fact, incorporate that technology. And as far as I know
12 the complaints of coffee smell throughout the town has
13 diminished quite a bit.

14 So the finding that thermal oxidation
15 currently is used to control emissions from a facility
16 located in the nonattainment area, and that this measure
17 is technologically feasible, it is feasible for maybe any
18 roaster of any size. But it may not be economically
19 feasible. And that's certainly a concern to myself, and I
20 suppose to the other three roasters that are here.

21 COMMISSIONER BRUNE: Mr. Rogers, if I could
22 ask you to please sum up your comments. And if you have
23 additional comments, you can submit them in writing as
24 well.

25 MR. WILLIAM ROGERS: Certainly.

1 So the point being with that last statement is
2 that we need to be individually assessed, and to make sure
3 that the fix doesn't break our abilities and our
4 pocketbooks. We've had this conversation, and I
5 appreciate the conversation, and I know that that is a
6 consideration. But I'm just going on record as making
7 that statement.

8 Thank you very much.

9 COMMISSIONER BRUNE: Thank you for your
10 comments, Mr. Rogers. Thank you for coming out today.

11 Next up is Ken Hall followed by Patrice Lee
12 and Mike Prax. Sorry. I can't read your name, Mike. My
13 bad.

14 So, Mr. Hall, your testimony, please.

15 MR. KEN HALL: Thank you very much for the
16 opportunity to speak. I'll talk fast. I don't know if
17 I've ever done anything in three minutes.

18 My name is Ken Hall. K-e-n H-a-l-l. I live
19 at 2506 Kuskokwim -- that's K-u-s-k-o-k-w-i-m -- Avenue,
20 99709.

21 I've lived in Fairbanks virtually all my life.
22 And looking at the map, essentially in the nonattainment
23 area all my life. I have a wood stove. I burn wood, more
24 recreational, but I have both certified and noncertified
25 stoves.

1 I work for a trucking company. I burn a lot
2 of diesel fuel, but we recognize that we need to do our
3 part for the community as well.

4 Because Fairbanks is home to myself and my
5 family, I stay involved with the community through various
6 organizations, one of which is the Fairbanks Chamber. I'm
7 on the Environmental Energy and Natural Resources
8 Committee. This has been a topic of which we have looked
9 at a long time and will supply some written comments going
10 forward on that.

11 So we appreciate the work the DEC has done.
12 It's a huge elephant. A lot of moving parts on it.

13 A couple of things that I would like to
14 comment on is that it covers a lot of territory. I think
15 DEC has approached it as trying to be the good guy, not
16 the heavy hammer. Certain areas probably will have to be
17 the heavy hammer, which you may not want to go ahead and
18 do, but I think you'll probably have to.

19 I appreciate the fact that the point sources
20 have been excluded out on this. They do a great job
21 providing energy steam heat to the area. They have
22 implemented cleaning devices. And anything to them would
23 be incredible, a burden upon the residents of Fairbanks.
24 So I appreciate the fact that you've omitted that.

25 Another thing, unfortunately it's a

1 four-letter word: coal. It essentially is written on out
2 of the SIP. One of the things you need to make sure that
3 the stip going forward has the ability to do is recognize
4 technology going forward. Whether it's developments as
5 far as coal, ESP, electronic devices to monitor it, once
6 it's submitted and accepted to the EPA, it's essentially
7 cast in stone, as I understand. So anything that can be
8 done to allow enough flexibility for technology going
9 forward, I think, is very important.

10 Wood suppliers. I was at the meeting last
11 night. I got the list of the wood suppliers. The primary
12 violator appears to be burning wet wood. If we all just
13 burn dry wood, it would immensely improve upon the quality
14 of the air during the inversion times. When there's only
15 two dry-wood suppliers listed on that, I think that needs
16 to be changed. It needs to be addressed and looked at.
17 Dry wood is paramount on making sure that this goes
18 forward.

19 Number 1 fuel, I think ultimately we're going
20 to end up with it. I think you've estimated the cost, and
21 I would ask you to look at the time line to implement
22 going to number 1 fuel.

23 COMMISSIONER BRUNE: Mr. Hall, if I could ask
24 you to please sum up your comments.

25 MR. KEN HALL: Just one last one. Education,

1 I think, is very important. The borough, through the
2 moderate SIP plan, had education on in there. It may not
3 be as effective as what you might like to see. It's kind
4 of an intangible thing. I think it's very important going
5 forward to do that. Mayor Kassel actually called
6 violators. The personal touch makes a big difference.
7 Dr. Hanley mentioned that as a level of enforcement, so I
8 think that it is important, and I think it's important to
9 get the communities involved in the -- within their
10 regions of violation as well too.

11 So anyhow, thank you very much. And I still
12 have a lot to go. Thank you.

13 COMMISSIONER BRUNE: Mr. Hall, thank you for
14 your comments. And, of course, you'll have plenty of
15 opportunity to submit additional written comments through
16 the July 26 deadline if you're interested.

17 MR. KEN HALL: We look forward to it. And
18 thank you for your help on this.

19 COMMISSIONER BRUNE: Absolutely.

20 Next up is Patrice Lee followed by Mike Prax.

21 I'm just going to confirm there are a couple
22 of names that have marked that they did not wish to
23 testify, so if you do wish to testify, please let me --
24 I'm going to skip your names, but we have Robin Rader is
25 the next individual.

1 So Patrice Lee, Mike Prax, and Robin Rader are
2 up.

3 Ms. Lee, your testimony, please.

4 MS. PATRICE LEE: Hi. Good afternoon.
5 Patrice Lee, 676 Hillcrest Drive, Fairbanks. And I will
6 be speaking on behalf of Citizens for Clean Air and
7 myself.

8 So health, of course, is the reason for the
9 Clean Air Act. And we had to come about having the
10 federal Clean Air Act because the air was causing lots and
11 lots of people to be unhealthy. So when all is said and
12 done, I hope that health, and health and safety, and
13 people remain as a top priority as we move forward with a
14 plan to clean up our air.

15 A balance is needed between, you know, the
16 ability to heat your home and stay healthy. And one
17 doesn't need to preclude the other. So that leads me to
18 one of my favorite pet projects, which is the
19 electrostatic precipitator.

20 I found that it may be one of the things that
21 brings people together more than anything else. Because
22 of its potential as a mitigator for PM-2.5, it's hard to
23 get them wrong, as Representative Wilson has pointed out
24 to me. And she's absolutely right. And they're not
25 expensive in the overall aspect of things.

1 I would like people to know that there seems
2 to be this issue of test or no test. They've been tested
3 extensively. We know they work. I'm not in the camp of
4 more testing because upon reflection, the company that's
5 going to test, perhaps, in our borough is using the same
6 instrument that was used in Europe to test, and that was
7 kind of a bone of contention, was the testing device, as I
8 understand it.

9 So I'm hoping we'll work that all out and make
10 sure that if we do go to test them, that we're absolutely
11 assured that we will be getting what we are paying for and
12 what we intend to get with our research.

13 Next, I'm a big proponent of citation
14 authority, which we don't have. You must have enforceable
15 measures in the SIP or it's not acceptable in the SIP. It
16 just isn't going to get you any points towards having your
17 SIP accepted. And adjudicating, if entered, one case at a
18 time is very expensive.

19 We shouldn't be doing anything that increases
20 burning in the borough. It's very simple. Reduce smoke,
21 reduce PM-2.5. If we could just deal with the levels that
22 we're presently at and work to mitigate those, I think
23 that would be a good idea.

24 There has been a practice in the past -- I
25 can't tell you which exact years, but violators were able

1 to get a clean slate at the beginning of every season. I
2 think that's absolutely wrong. It should not happen. If
3 somebody has been a chronic violator, they shouldn't start
4 new every season causing the department to have to do all
5 the work over again. If you get in a fight in eighth
6 grade and it goes on your record, you can't get rid of it
7 until after you graduate. So I think that should be an
8 issue that's made more fair in the borough.

9 A 5 percent emission plan per year, I think,
10 is dangerous to health and safety. That just prolongs the
11 amount of time that we're going to be breathing emissions
12 that we know are extremely detrimental to our health. I
13 oppose that adamantly.

14 And then I'd like to ask you this last
15 question because it involves air quality. How does the
16 permit to incinerate PFOII soils fit into the SIP since
17 the incinerator may well qualify as a point source? There
18 is a grave concern in the community, well past the comment
19 time, because we didn't know during the comment time that
20 we were considered for a pilot project to burn PFOII soils
21 in our community. And we would like to know whether that
22 chemical is being volatilized and released into the air.
23 We need some kind of assurance that that absolutely would
24 not happen, and that we're not test subjects.

25 The research behind that seems to be pretty

1 darn skinny, and I'd like to make sure that we all are
2 aware that this should be -- they should be having a lot
3 of discussion. So thank you.

4 COMMISSIONER BRUNE: Ms. Lee, thank you for
5 your testimony and for your question. We appreciate that
6 a lot.

7 Up next is Mike Prax, followed by Robin Rader
8 and Jim Dodson.

9 Mr. Prax.

10 MR. MIKE PRAX: Thank you, Mr. Commissioner.

11 Mike Prax, 1015 Meadow Rue, North Pole. And
12 thank you for the opportunity to weigh in on this.

13 It's kind of funny, Patrice and I are working
14 on the solutions, the ESPs and a lot of other things. And
15 a lot of other people in the community are working on it
16 too.

17 She and I don't see eye to eye on the
18 regulations, but we do work pretty well together on
19 getting this solution. And that's kind of what I want to
20 address, is the implementation of it. I think you need to
21 trust people. This came up, actually, a long time ago. A
22 good friend of mine, when they came out with this CO
23 program, a guy named Chuck House -- they were worried
24 about the health, too, and Chuck asked the question, "I
25 wonder how many headaches the regulations themselves

1 cause?"

2 And it's worth considering. And he too -- he
3 wanted to get the solution, but when you put out
4 regulations, people bristle at the regulations. So that's
5 a dangerous approach.

6 And ten years ago when this PM-2.5 thing came
7 out, we got conversations started, at any rate, between
8 the folks cutting wood and burning wood at the Northern
9 Environmental Center. And we were working together on
10 solutions, then a regulation and an ordinance was
11 proposed. And we went back to fighting each other and the
12 coalition fell apart. That was sad. We probably could
13 have had the problem solved by now.

14 And I think it was Mr. Hall mentioned Mayor
15 Kassel's effort to contact people personally was very
16 successful. I think -- as I recall, I think he said he
17 got about 80 percent of people that were violating just
18 didn't quite understand the object to the game and they
19 were complying after that call. So that is a successful
20 approach. And we're going to employ that, too, for our
21 effort.

22 And so the other -- I've got to give credit to
23 Bill Rogers for this. This needs to be -- this is the
24 serious SIP from McCafferty's Coffee House --

25 MR. WILLIAM ROGERS: Thanks, Mike.

1 MR. MIKE PRAX: Well, it's just a good idea to
2 add a little humor into this and go around, when you see
3 somebody violating air quality, sit down with a cup of SIP
4 and talk about it. Not enforce it. And it really is
5 important. You know, there was a lot of angst over the
6 letters that the DEC was sending out, and I went and
7 talked to the lady that was sending out the letters. And
8 the letters were offensive because it's a letter.

9 But if you talk to her, you can't say, "No."
10 I mean, just a really nice person. But we need that
11 personal touch, and we need to realize both sides of this
12 issue.

13 And then finally, on the wood sellers, we need
14 to make sure people understand that. As I understand it
15 now, there is no green wood allowed to be sold. And I
16 think that that's going to just drive people into, if you
17 will, a black market for firewood. So we need to make
18 sure we understand how that's going to work in practice.

19 Thank you very much.

20 COMMISSIONER BRUNE: Mr. Prax, thank you for
21 your testimony today.

22 I have two additional names left on this sheet
23 that have signed up to testify, and then I don't have an
24 additional sheet. So if I could get the next sheet,
25 there's --

1 MS. HEIL: There's two?

2 COMMISSIONER BRUNE: This is page 2, yes.
3 There's a number of names that are on here that did not
4 want to testify. So next we have Robin Rader followed by
5 Jim Dodson, and then I don't have anyone after that, so if
6 there's another sheet that Cindy could bring me and then
7 we'll go from there.

8 So Mr. Rader.

9 MR. ROBIN RADER: Robin Rader. I live in the
10 Rosie Creek area. So the North Pole is a cold sink, and I
11 believe that just as the cold sinks in in North Pole that
12 it's very possible that all the smoke generated in the
13 Chena River Valley finds its way into North Pole. And so
14 if that's true, then to address North Pole's pollution,
15 you're also going to have to address pollution that's
16 actually outside of the nonattainment area.

17 Fairbanks is unique within the United States
18 in that we have such intense cold. But it's also one of
19 our strengths because we -- during this cold weather,
20 during the time that the PM-2.5 is an issue, we are
21 primarily inside. And even when we recreate, we are
22 typically recreating in the warmer areas.

23 If, however, ambient PM-2.5 is a significant
24 health impact, then we also have an opportunity to impact
25 that through the use of HEPA filters in our homes and in

1 our schools. And that would be a pretty low economic
2 impact compared to everything that we're talking about.

3 And finally, ambient PM-2.5 pollution may not
4 be the primary health issue with PM-2.5 exposure. I
5 talked to a student who had been experimenting with a
6 personal HEPA filter device, and was given use of a
7 particle counter. Then he found that the PM-2.5 within
8 their building on campus was significantly higher than
9 ambient. And so if that's true, then we could be spinning
10 our wheels with all this.

11 And so I would ask regulators and those that
12 are imposing these regulations to confirm that they are
13 actually improving our health condition. Thank you.

14 COMMISSIONER BRUNE: Thank you, Mr. Rader. I
15 appreciate you coming out to testify today.

16 Next up we have Jim Dodson, followed by
17 Marissa Sharrah and Karyn Janssen.

18 So Mr. Dodson.

19 MR. JIM DODSON: Thank you.

20 I'm Jim Dodson. I'm president of Fairbanks
21 Economic Development Corporation. Fairbanks Economic
22 Development believes that the air quality is the number
23 one economic deterrent to the growth of our community, and
24 it has for some time.

25 We would like to thank the DEC for their

1 efforts, their ballast efforts to help the community to
2 clean up its air quality. FEDC has worked with groups,
3 including the Air Quality Task Force from the past, that
4 we believed gained community support and recognition.
5 Through that end, we encourage the recreation of the Air
6 Quality Task Force and have formed the Fairbanks Air
7 Quality Coalition that includes FEDC, the Fairbanks
8 Chamber, Aurora Energy and Golden Valley, Superior
9 Pellets, and others.

10 They have created a white paper that lays out
11 the positions of not only the support of DEC's efforts,
12 but also the recognition that the efforts balance not only
13 our health needs with our economic needs. But we also
14 believe that some type of enforcement authority will be
15 necessary in the future. And we encourage the DEC to seek
16 that enforcement authority.

17 Rather than go through the talking points that
18 I have that the Air Quality Coalition has listed, I'm
19 going to hand that paper in to your staff today, and we
20 will further comment at the appropriate time at the end of
21 this process.

22 So thank you for your time. And thank you for
23 your efforts.

24 COMMISSIONER BRUNE: Thank you, Mr. Dodson,
25 for your testimony and your kind words.

1 Next up we have Marissa Sharrah followed by
2 Karyn Janssen. And as far as I can tell, there are no
3 others that are signed up. Many people have signed up as
4 not -- we have one more not -- or interested in
5 testifying.

6 Again, for those that may have signed in as
7 not interested, you can go back and sign in if you are now
8 suddenly interested. And when you are testifying, if you
9 could please list your name and spell your name for the
10 record. If you are representing an organization, you can
11 speak for five minutes. If you are representing yourself,
12 for three minutes.

13 And so that's Marissa that's up next.

14 MS. MARISSA SHARRAH: My intention was to mark
15 the "No" column. My apologies, Mr. Brune.

16 COMMISSIONER BRUNE: No, no. No. My fault.

17 Then I guess that will leave Karyn Janssen
18 that's up.

19 Ms. Janssen, thank you for coming out today,
20 and please introduce yourself for the record.

21 MS. KARYN JANSSEN: Okay. My name is Karyn
22 Janssen. K-a-r-y-n J-a-n-s-s-e-n. I'm a homeowner. I
23 live just outside of the nonattainment area. My concern
24 is -- and from the presentation last night, it seems like
25 they were talking about selling only number 1 fuel oil

1 within the nonattainment zone. But prior I had heard that
2 they were maybe going to do that areawide through the
3 whole borough.

4 If I am forced to pay the additional cost and
5 burn the additional gallons of number 1 fuel oil, I
6 don't -- I mean, it's going to be a substantial increase,
7 I believe, in my cost of heating my home. And I don't
8 think that there is that great of a benefit to be gained
9 by burning only number 1 as opposed to number 2.

10 It would seem to make more sense to me to
11 start restricting new homes being put in and allowing
12 wood-burning stoves in the nonattainment area. I mean,
13 let's take care of the problem where it's starting instead
14 of -- I mean, I've lived in this house for more than 30
15 years, and I've never burned wood to heat my house. So I
16 feel like I've been being part of the solution for the
17 last 30 years, and now you're going to penalize me by
18 increasing the cost of my heating my home.

19 And that's all I want to say, is that I -- I
20 mean, I live in a house. It's a big house. I have an
21 underground tank. I burn number 2. I burn a fair amount
22 of it. But I also live on 60 acres of trees. If the
23 price goes up substantially, I'll be installing a
24 wood-burning stove and cutting down trees and being part
25 of the problem instead of part of the solution. So I hope

1 that that is not the first way that you go about trying to
2 solve the problem. I mean, we all want clean air. That's
3 one of the reasons why I live out of town and haven't been
4 burning wood. And that's all I've got to say.

5 COMMISSIONER BRUNE: Thank you for your
6 testimony, Ms. Janssen.

7 MS. KARYN JANSSEN: Okay. Thank you.

8 COMMISSIONER BRUNE: The last individual that
9 I have is Lee Bridgman.

10 Again, if there are others that are interested
11 in testifying -- there's one more.

12 Mr. Bridgman, please introduce yourself for
13 the record.

14 MR. LEE BRIDGMAN: Lee Bridgman. Do you need
15 my address?

16 COMMISSIONER BRUNE: Yes, please.

17 MR. LEE BRIDGMAN: 763 Wanda Drive, North
18 Pole. Although I've already gotten a warning notice from
19 you folks, so you probably already have it.

20 But I only burn pellets. But I have two
21 questions of things I've always brought up. Number one is
22 with the higher rate of asthma reports during a no-burn
23 session, the EPA will also tell you that indoor air is
24 more hazardous than outdoor air. So I question whether
25 the DEC has ever gone to the homes of the people who are

1 reporting the asthma cases to see whether the homes
2 themselves are unhealthy and whether or not they could do
3 something there. The other thing is the monitors. I've
4 long been recommending that the borough find out what's
5 coming into our community versus what we are developing
6 here ourselves.

7 After I got that notice back in February, I
8 started monitoring the Web site, and there's a monitor
9 somewhere around the Old Richardson and Badger Road where
10 the storage unit is and Spicy Thai. And then there's also
11 one at Ticasuk Brown.

12 If you track the air flow on several of those
13 occasions, it was going basically from the Old Richardson
14 monitor toward Ticasuk Brown. On several occasions when
15 the Old Richardson/Badger Road monitor exceeded the level,
16 and it was also maybe in the 40, 45 area, T. Brown is
17 usually four or five points higher.

18 So you've got some homes in between there that
19 are adding maybe five points to the measurement. But more
20 importantly, if you look at the wind flow, which was
21 coming out of the south-southwest or southwest on several
22 occasions, and you go across the highway and you look for
23 homes in the direction the wind is coming from, you won't
24 find any.

25 So what is kicking up the 40-plus micrograms

1 or whatever you measure to get to that unit, that monitor
2 at the Old Richardson and Badger to make it cause a
3 warning? There's nothing there. So something is coming
4 up the river, following the Tanana River, maybe coming off
5 the military base, maybe -- or the firing range. I just
6 want to know why we're not monitoring what's coming into
7 the community and then what the community is adding to it.

8 That's all I have to say.

9 COMMISSIONER BRUNE: Thank you for your
10 testimony, Mr. Bridgman. I appreciate you coming out.

11 And we have one more that just signed up. And I am
12 definitely going to butcher this name, so I apologize.
13 It's Michelle Ohnesorge.

14 MS. MICHELLE OHNESORGE: Ohnesorge.

15 COMMISSIONER BRUNE: Ohnesorge. I'm so sorry,
16 Michelle.

17 MS. MICHELLE OHNESORGE: That's fine.

18 COMMISSIONER BRUNE: Please state your name
19 for the record.

20 MS. MICHELLE OHNESORGE: Michelle Ohnesorge.
21 Spelled O-h-n-e-s-o-r-g-e. I live at 2555 Melissa Loop in
22 Fairbanks. I'm speaking for myself, but I am a project
23 manager at Fairbanks Economic Development Corporation, and
24 I was a part of the facilitation team for the Air Quality
25 Stakeholders Group with information insights.

1 And I just want to take a minute to say that
2 we really commend the incorporation of the stakeholder
3 recommendations into the Draft SIP, and that those
4 recommendations in that final package took a lot of time
5 from a very diverse group of over 60 individuals from our
6 community. And we thought that was addressed very well in
7 the Draft SIP and documented very well for specific
8 recommendations.

9 And I would hope that the entire process of
10 that stakeholders group is taken into consideration when
11 there might be adverse comments to certain regulations.
12 And that those recommendations are also still considered
13 for the 5 percent plan and other implementation plans that
14 will be drafted here soon.

15 That's really all I had. Thank you.

16 COMMISSIONER BRUNE: Thank you for your
17 testimony, Michelle.

18 With that, I have no other names.

19 Are there any other individuals that are
20 interested in providing testimony today?

21 If not, what we will do is we have committed
22 to the public that anyone that signs up before 1:30, we
23 will be taking their testimony. And then, of course, we
24 also have a hearing tonight from 5 until 8 p.m.

25 So for now I will go off the record, and if

1 anyone comes in between now and 1:30, we will take their
2 testimony. So thank you very much, everyone, for coming
3 out today. And we are off record for now.

4 12:55 P.M.

5 (Off record.)

6 1:30 P.M.

7 COMMISSIONER BRUNE: We'll go back on the
8 record.

9 I want to thank everyone for coming out to
10 testify this afternoon. No one else has signed up in the
11 interim. So with that I want to let everyone know, of
12 course, that public comments will be part of the
13 decision-making process. After the close of the comment
14 period, DEC will draft a response to all public comments.
15 Without further notice, DEC will decide to either, number
16 one, adopt as proposed; two, adopt with other provisions
17 dealing with the same subject; or three, decide to take no
18 action on the proposal. The language of the final
19 regulations may be different from that of the proposed
20 amendments.

21 This is June 26, 2019, at 1:30 p.m. in
22 Fairbanks, Alaska. My name is Jason Brune, and this
23 hearing is now closed.

24 1:31 P.M.

25 END OF PUBLIC HEARING

C E R T I F I C A T E

1
2
3 STATE OF ALASKA)
4 FOURTH JUDICIAL DISTRICT) ss.

5
6 I, Crystal D. Thompson-Bartlett, Court
7 Reporter and Notary Public duly commissioned and qualified
8 in and for the State of Alaska, do hereby certify that the
9 foregoing proceedings were taken electronically before me
10 and thereafter reduced to typewriting by me or at my
11 direction.

12 That the foregoing transcript is a full, true,
13 and correct transcript of the proceedings, including
14 questions, answers, objections, statements, motions, and
15 exceptions, made and taken at the time of the foregoing
16 proceedings.

17 That all documents and/or things requested to
18 be included with the transcript of the proceedings have
19 been annexed to and included with said proceedings.

20 That I am not a relative or employee or
21 attorney or counsel of any of the parties in these
22 proceedings, nor a relative or employee of such attorney
23 or counsel, and that I am not financially interested in
24 said proceedings or the outcome thereof.

25 IN WITNESS WHEREOF, I have set my hand and
affixed my Notarial Seal this 9th day of July 2019.

CRYSTAL D. THOMPSON-BARTLETT
Notary Public for Alaska
My commission expires: 9/15/2022

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