

AIR QUALITY CONTROL: NOTICE OF PROPOSED CHANGES  
IN THE REGULATIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

**BRIEF DESCRIPTION**

The Alaska Department of Environmental Conservation proposes to adopt regulation changes intended to assist with the improvement of air quality in the Fairbanks North Star Borough (FNSB) Nonattainment Area. The proposed regulations and State Implementation Plan (SIP) amendments incorporate elements of local ordinances enacted by the FNSB Assembly allowing their use in meeting federal Clean Air Act requirements for the FNSB Nonattainment Area.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt changes in 18 AAC 50 of the Alaska Administrative Code, dealing with air quality, including the following:

- (1) Repeal and readopt 18 AAC 50.030 to adopt revisions to the State Air Quality Control Plan in Volume II Section III.D.5: FNSB PM-2.5 Control Plan and its corresponding Appendix; and add language addressing nonattainment area permit requirements.
- (2) Amend 18 AAC 50.075 to add new language on visible emissions standards and to remove language that is no longer applicable.
- (3) Amend 18 AAC 50.077 to address requirements for wood-fired heating devices, heating device test methods, and address heating devices located in the FNSB nonattainment area.
- (4) Add a new section, 18 AAC 50.079, to address requirements for coal-fired heating devices.
- (5) Amend 18 AAC 50.990 to add definitions.

**Posting**

The above list of proposed changes to the regulations only provides a summary of their subject matter. Copies of the proposed regulation changes and SIP amendments are available at [http://dec.alaska.gov/air/anpms/comm/fbks\\_pm2-5\\_proposed-regs\\_2017.htm](http://dec.alaska.gov/air/anpms/comm/fbks_pm2-5_proposed-regs_2017.htm)

Materials not feasible to post or subject to copyright may be viewed at the ADEC office(s) at the following locations: ADEC Anchorage Building, 555 Cordova St., Anchorage; ADEC Fairbanks Office Building, 610 University Avenue; and ADEC Juneau Office Building, 410 Willoughby Avenue, Second Floor. To arrange to view the materials, contact Teri Buck at 907-269-7695 or [teri.buck@alaska.gov](mailto:teri.buck@alaska.gov).

**Questions**

You may submit written questions relevant to the proposed action to ADEC using the electronic question form link found on [http://dec.alaska.gov/air/anpms/comm/fbks\\_pm2-5\\_proposed-regs\\_2017.htm](http://dec.alaska.gov/air/anpms/comm/fbks_pm2-5_proposed-regs_2017.htm); by electronic mail to [dec.air.comment@alaska.gov](mailto:dec.air.comment@alaska.gov); or by mail to Teri Buck, Division of Air Quality, 555 Cordova St. Anchorage, Alaska 99501. Questions may also be submitted verbally in testimony at one of the public hearings. The Department will aggregate its response to substantially similar questions and make the questions and response available on <http://dec.alaska.gov/air/anpms/comm/fbks-pm2-5-questions-answers.html>. The written questions must be received at least 10 days before the end of the public comment period; Friday,

August 18, 2017. The Department may, but is not required to, answer written questions received after Friday, August 18, 2017, the 10-day cut-off date.

### **Comments**

You may comment on the proposed regulation changes, including the potential costs to private persons of complying and alternative practical methods of complying with the proposed changes, by submitting written comments to: Cindy Heil, Division of Air Quality, ADEC, 555 Cordova St, Anchorage AK 99501; or by facsimile at (907) 269-7508; or by e-mail to [dec.air.comment@alaska.gov](mailto:dec.air.comment@alaska.gov); or by the electronic comment form at <https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments>. Comments must be received by 5:00 p.m. on Wednesday, August 30 2017. Comments received after this date will not be considered in final action on these rules and the air quality plan.

### **Hearings**

The Department will also hold public hearings on this proposal. The Fairbanks public hearings will be held as follows: on Friday, August 18, 2017, from 11:30 am – 1:30 p.m. at the Fairbanks North Star Borough, 907 Terminal St., Assembly Chambers; and on Friday, August 18, 2017, from 5:00 – 7:00 p.m. at the Fairbanks North Star Borough, 907 Terminal St., Assembly Chambers. The Department has tentatively scheduled public hearings in Anchorage and Juneau for these proposed regulations, on Friday, August 18, 2017, from 12:00 p.m. to 1:30 p.m. at the ADEC Anchorage Building, First Floor Conference Room, 555 Cordova St., Anchorage, Alaska; and ADEC 2<sup>nd</sup> Floor Main Conference Room, 410 Willoughby Avenue, Juneau Alaska. The Anchorage and Juneau public hearings will be held only if a request to hold a public hearing is received by ADEC by 5:00 p.m. on Friday, August 11, 2017. You may request a public hearing by calling Teri Buck at 907-269-7695 between 9:00 a.m. and 5:00 p.m., Monday through Friday or by e-mailing a request to [teri.buck@alaska.gov](mailto:teri.buck@alaska.gov). If no request for a public hearing is received by Friday, August 11, 2017, the public hearings in Anchorage and/or Juneau will be cancelled. ADEC will announce the cancellation of the public hearings by publishing a public notice, by 5:00 p.m. on Tuesday, August 15, 2017, on these websites: <http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices>, and [http://dec.alaska.gov/commish/public\\_notices.htm](http://dec.alaska.gov/commish/public_notices.htm). Formal oral or written comment may be submitted at the hearings. The hearing will be extended if necessary to accommodate those present before 1:30 pm and 7:00 pm, respectively, who did not have an opportunity to comment.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Natalie Wolfe at (907) 269-0291, [Natalie.Wolfe@alaska.gov](mailto:Natalie.Wolfe@alaska.gov) or TDD Relay Service 1-800-770-8973/TTY or dial 711 seven day prior to any open house, public hearing or comment deadline to ensure that any necessary accommodations can be provided.

After the public comment period ends, ADEC will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 46.03.010; AS 46.03.020; AS 46.14.030; AS 46.14.400

**Statutes being implemented, interpreted, or made specific:** AS 46.14.030; AS 46.14.400

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: July 18, 2017

A handwritten signature in blue ink, appearing to read "Larry Hartig", is written above a horizontal line.

Larry Hartig, Commissioner