

**NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION**

The Department of Environmental Conservation (DEC) proposes to adopt regulation changes in Title 18, Chapter 50 of the Alaska Administrative Code dealing with Air Permit Administration Fees and Emission Fees.

18 AAC 50, Article 4 User Fees is proposed to be changed as follows:

- Repeal and readopt 18 AAC 50.400 to adjust the permit administration fees in 18 AAC 50.400 for permits subject to AS 46.14.130.
- Amend 18 AAC 50.410 to adjust the emissions fees for stationary sources subject to AS 46.14.130. Emission fee rates for portable oil and gas drilling operations will also be adjusted as a result of the changed emission fee rates.
- Amend 18 AAC 50.420 to align references to 18 AAC 50.400 and 18 AAC 50.410.

The proposed changes to fee rates are based on a fee study report done in compliance with AS 46.14.240(b) and AS 46.14.250(g) which requires that fees be evaluated periodically, and at least every four years, to determine if they comply with the statutes.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Rebecca Smith at Alaska Department of Environmental Conservation, Air Permit Program, 410 Willoughby Ave., Suite 303, P.O. Box 111800, Juneau, AK 99811-1800; by facsimile at: (907) 465-5129, or by e-mail to the Air Quality Comments Docket at dec.aq.airdocket@alaska.gov. The comments must be received no later than **5:00 p.m., on April 2, 2010**. Comments received after this date will not be considered in final action on these rules.

The Department will hold a public workshop on this proposal on March 16, 2010. The public workshop will be held from 9:00 am – 1:00 pm at the DEC Building, First Floor Main Conference Room, 555 Cordova Street, Anchorage, Alaska. There will be a call-in number if you are not able to attend the meeting in person. The call-in number will be 1-800-315-6338, and the Meet Me Code will be 8123#.

Oral or written comments also may be submitted at a hearing to be held on March 31, 2010, at the DEC Building, in the First Floor Main Conference Room, 555 Cordova Street, Anchorage, Alaska. The hearing will be held from 10:00 – 11:30 am and might be extended to accommodate those present before 11:00 am who did not have an opportunity to comment. If you will not be able to attend the public hearing in person, please contact Rebecca Smith at (907) 465-5121 by March 25, 2010, to make arrangements to participate by phone. There will be a call-in number if you are not able to attend the meeting in person. The call-in number will be 1-800-315-6338, and the Meet Me Code will be 8123#.

If you are a person with a disability who needs a special accommodation in order to participate in this public process, please contact Deborah Pock at (907) 269-0291 or TDD Relay Service 1-

800-770-8973/TTY no later than 5:00 p.m., March 24, 2010, to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Rebecca Smith, Air Permit Program, Alaska Department of Environmental Conservation, 410 Willoughby Ave., Suite 303, Juneau, AK 99811-1800; by phone at (907) 465-5121; by facsimile at (907) 465-5129; or go to <http://www.dec.state.ak.us/air/ap/regulati.htm>. The proposed regulation and a Department Fee Study Report describing the analysis and basis for the fee change is available from the DEC Air Quality web site at <http://dec.alaska.gov/air/ap/calendar.htm> and at <http://dec.alaska.gov/air/ap/regulati.htm>

After the public comment period ends on April 2, 2010, DEC will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

Statutory Authority: AS 44.46.025, AS 46.03.020, AS 46.14.010, AS 46.14.240, AS 46.14.250

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.14.240, AS 46.14.250

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

Dated: February 26, 2010
Anchorage, Alaska

/s/
Larry Hartig, Commissioner