

## NOTICE OF PUBLIC COMMENT PERIOD ON PROPOSED CHANGES TO ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS

The Department of Environmental Conservation (DEC), proposes to adopt regulation changes in Title 18, Chapter 50 of the Alaska Administrative Code dealing with Air Quality Control, including the following:

- update adoption by reference dates of federal rules adopted in 18 AAC 50.035 and 18 AAC 50.040.
- adopt a federal rule part and new subparts in 18 AAC 50.040.
- repeal or delete obsolete language in 18 AAC 50.035, 18 AAC 50.040, 18 AAC 50.990, and 18 AAC 50.990 Editor's note.
- add language to adopt and require Title V standard application forms in 18 AAC 50.035 and 18 AAC 50.326.
- clarify modeling requirements in 18 AAC 50.215.
- clarify requirements for owner requested limits in 18 AAC 50.225.
- adopt clarifications to existing regulations to correct wording, to correct cross-references, and resolve internal regulation conflicts in 18 AAC 50.220, 18 AAC 50.302, 18 AAC 50.326, 18 AAC 50.345, 18 AAC 50.400, and 18 AAC 50.540.

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, Environmental Program Specialist, Air Permit Program, Alaska Department of Environmental Conservation, 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](mailto:dec.aq.airdocket@alaska.gov). Comments must be received by **5:00 p.m., on September 30, 2011**. Comments received after this date will not be considered in final action on these rules.

Oral or written comments also may be submitted at a hearing to be held on September 28, 2011, at the Department of Environmental Conservation Building, 619 E. Ship Creek, Ste. 249, Anchorage, AK 99501. The hearing will be held from 2:00 – 3:30 p.m. and might be extended to accommodate those present before 3:00 p.m. who did not have an opportunity to comment. 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 or dial 711 no later than September 19, 2011, 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, P.O. Box 111800, 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 regulations and a Department Explanation of the Proposed Changes document are available from the DEC Air

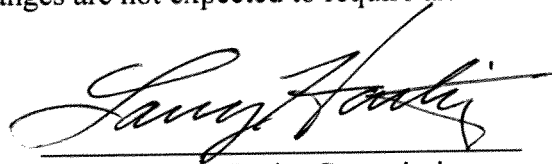
Quality web site at <https://myalaska.state.ak.us/dec/air/airtoolsWeb/PublicPermitListings.aspx>  
and at <http://dec.alaska.gov/air/ap/regulati.htm>

After the public comment period ends on September 30, 2011, 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.** Written comments received are public records and are subject to public inspection.

**Statutory Authority:** AS 46.03.710, AS 46.14.010, AS 46.14.020, AS 46.14.030

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 46.14.010, AS 46.14.020, AS 46.14.030, AS 46.14.120, AS 46.14.140

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



Larry Hartig, Commissioner

Dated: August 25, 2011  
Anchorage, Alaska

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation
2. General subject of regulation: ADOPTION BY REFERENCE UPDATES; ADOPT NEW REGULATIONS; CORRECT AND CLARIFY REGULATIONS.
3. Citation of regulation (may be grouped): 18 AAC 50.035, 18 AAC 50.040, 18 AAC 50.215, 18 AAC 50.220, 18 AAC 50.225, 18 AAC 50.302, 18 AAC 50.326, 18 AAC 50.345, 18 AAC 50.400, 18 AAC 50.540, and 18 AAC 50.990
4. Reason for the proposed action:
  - (x) compliance with federal law
  - ( ) compliance with new or changed state statute
  - ( ) compliance with federal court order
  - (x) development of program standards
  - ( ) other:
5. Program category and BRU affected: Air Permits Program, Air Quality
6. Cost of implementation to the state agency and available funding (in thousands of dollars)

	Initial Year FY 2012	Subsequent Years
Cost	\$ 0__	\$ 0__
General fund	\$ 0__	\$ 0__
Federal funds	\$ 0__	\$ 0__
Other funds (specify)	\$ 0__	\$ 0__

7. The name of the contact person for the regulations:
 

Name	Rebecca Tyson Smith
Title	Environmental Program Specialist
Address	410 Willoughby Ave., Ste. 303 P.O. Box 111800 Juneau, AK 99811-1800
Telephone	(907) 465-5121
E-mail address	<u>rebecca.smith@alaska.gov</u>

8. The origin of the proposed action:
 

<u>  x  </u>	staff of state agency
<u>  x  </u>	federal government
<u>  x  </u>	general public
_____	petition for regulation change
_____	other (please list)

9. Date: August 25, 2011

Prepared by: \_\_\_\_\_  
 Name: Rebecca Tyson Smith  
 Title: Environmental Program Specialist  
 Telephone: (907) 465-5121