

**DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION**



**18 AAC 50**

**AIR QUALITY CONTROL**

**Public Comment Draft**

**November 21, 2007**

**Comment Period Ends  
January 7, 2008, 5:00 p.m.**

**Sarah Palin  
Governor**

**Larry Hartig  
Commissioner**

18 AAC 50.015 Editor's Note is amended to read:

**Editor's note:** The nonattainment **and maintenance** area boundaries, the air quality control region boundaries, and the Class I area boundaries are depicted on maps in the state air quality control plan adopted by reference in 18 AAC 50.030. Air quality control region and nonattainment area boundaries are described in 40 C.F.R. 81, as revised as of July 1, 2003.

...

18 AAC 50.030(10) is amended to read:

(10) the department's *Minor Permit Application Forms*, dated **September 22** [AUGUST 30], 2004; **January 4, 2006, and May 15, 2007**. (Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 9/4/98, Register 147; am 1/1/2000; Register 152; am 12/30/2000; Register 156; am 9/21/2001, Register 159; am 1/27/2002, Register 161; am 3/2/2002, Register 161; am 5/3/2002, Register 162; am 2/20/2004, Register 169; am 6/24/2004, Register 170; am 10/1/2004, Register 171; am 12/14/2006, Register 180; **am / /2008, Register** )

...

18 AAC 50.035(a)(3) is amended to read:

(3) the United States Environmental Protection Agency's (EPA) publication AP-42, *Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources*, Fifth Edition with Supplements A – **F** [E], as **updated** [AMENDED] through **December 2006** [SEPTEMBER 1999];

...

18 AAC 50.035(b) is amended to read:

(b) The following procedures and methods set out in 40 C.F.R., **as** revised as of July 1, **2007** [2003], are adopted by reference:

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 7/2/2000, Register 154; am 2/2/2002, Register 161; am 5/3/2002, Register 162; am 10/1/2004, Register 171; am 12/3/2005, Register 176; **am / /2008, Register** )

...

18 AAC 50.040(a) is amended to read:

(a) The following provisions of 40 C.F.R. Part 60 (Standards of Performance for New Stationary Sources), as revised as of July 1, 2007 [JULY 8, 2004], are adopted by reference as they apply to a Title V source:

...

18 AAC 50.040(b) is amended to read:

(b) The following provisions of 40 C.F.R. Part 61 (National Emission Standards for Hazardous Air Pollutants), as revised as of 72 Fed. Reg. 27437 (May 16, 2007) [July 1, 2004], are adopted by reference as they apply to a Title V source:

...

18 AAC 50.040(c) is amended to read:

(c) The following provisions of 40 C.F.R. Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories), as revised as of 72 Fed. Reg. 38864 (July 16, 2007)[NOVEMBER 12, 2004], are adopted by reference as they apply to a Title V source:

...

18 AAC 50.040(c)(24) is repealed:

(24) repealed / /;

...

18 AAC 50.040(d) is amended to read:

(d) The provisions of 40 C.F.R. Part 82, as revised as of July 1, 2007 [2004], are adopted by reference to the extent that they apply to a Title V source.

...

18 AAC 50.040(e) is amended to read:

(e) The requirements of 40 C.F.R. 52.70 - 40 C.F.R. 52.96, as revised as of July

1, **2007** [2004], as they apply to a Title V source and for purposes of a Title V permit, are adopted by reference.

...

18 AAC 50.040(f) is amended to read:

(f) The provisions of [ ]40 C.F.R. Part 51, Appendix W (Guideline on Air Quality Models [(REVISED)]), **as** revised as of July 1, **2007** [2004], are adopted by reference.

...

18 AAC 50.040(g) is amended to read:

(g) The following provisions of 40 C.F.R. Part 62 (Approval and Promulgation of State Plans for Designated Facilities and Pollutants), **as** revised as of July 1, **2006** [2004], are adopted by reference:

...

18 AAC 50.040(g)(4) is amended to read:

(4) Subpart III (Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or Before November 30, 1999, **except for the CISWI Definition Rule vacated by U.S. Court of Appeals, D.C. Circuit, No. 04-1385 (June 8, 2007)**);

...

18 AAC 50.040(h) is amended to read:

(h) The following provisions of 40 C.F.R. 51.166 and 40 C.F.R. 52.21 (Prevention of Significant Deterioration of Air Quality), as revised as of July 1, **2007**[2004], are adopted by reference:

...

18 AAC 50.040(h)(17) is repealed:

(17) **repealed** / / \_\_\_\_\_;

...

18 AAC 50.040(h)(18) is repealed:

(18) repealed / /;

...

18 AAC 50.040(h)(19) is repealed:

(19) repealed / /;

...

18 AAC 50.040(h)(20) is amended to read:

(20) 40 C.F.R. 52.21(aa) (Actuals PALs)[.], except as follows:

**(A) 40 C.F.R. 52.21(aa)(12)(ii)(a) is changed to read “Mass balance calculations for activities using coating or solvents or for activities emitting sulfur dioxide from the combustion of fuel”;**

**(B) 40 C.F.R. 52.21(aa)(12)(iii) is changed to read “Mass Balance Calculations. An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents or from activities emitting sulfur dioxide from the combustion of fuel shall meet the following requirements:”;**

...

18 AAC 50.040(i) is amended to read:

(i) From the following provisions of 40 C.F.R. 51.165 (Permit Requirements), as revised as of July 1, 2007 [2004], text setting out provisions that a state implementation plan shall or may contain is adopted by reference as follows:

...

18 AAC 50.040(i)(7) is repealed:

(7) repealed / /;

...

18 AAC 50.040(i)(8) is repealed:

(8) repealed / /;

...

18 AAC 50.040(i)(9) is repealed:

(9) repealed / /;

...

18 AAC 50.040(i)(10) is amended to read:

(10) 40 C.F.R. 51.165(f) (Actuals PALs)[.], except as follows:

(A) 40 C.F.R. 51.165(f)(12)(ii)(A) is changed to read “Mass balance calculations for activities using coatings or solvents or for activities emitting sulfur dioxide from the combustion of fuel”;

(B) 40 C.F.R. 51.165(f)(12)(iii) is changed to read “Mass Balance Calculations. An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents or from activities emitting sulfur dioxide from the combustion of fuel shall meet the following requirements:”;

...

18 AAC 50.040(j) is amended to read:

(j) The following provisions of 40 C.F.R. Part 71 (Operating Permits), as revised as of July 1, 2007 [2004], are adopted by reference, except as provided in 18 AAC 50.326:

(Eff. 1/18/97, Register 141; am 6/14/98, Register 146; am 6/21/98, Register 146; am 7/2/2000, Register 154; am 6/1/2002, Register 162; am 8/15/2002, Register 163; am 10/1/2004, Register 171; am 12/3/2005, Register 176; am / /2008, Register )

...

18 AAC 50.050(b) Table 4 is amended to read:

**Table 4. Particulate Matter [ ]Standards for Incinerators**

Incinerator	Particulate Matter Standard
Rated capacity less than 1,000 pounds per hour	No limit
Rated capacity greater than or equal to 1,000 but less than 2,000 pounds per hour	0.15 grains per cubic foot of exhaust gas corrected to 12 percent CO <sub>2</sub> and standard conditions, averaged over three hours
Rated capacity greater than or equal to 2,000 pounds per hour	0.08 grains per cubic foot of exhaust gas corrected to 12 percent CO <sub>2</sub> and standard conditions, averaged over three hours
An incinerator that burns waste containing more than 10 percent wastewater treatment plant sludge by dry weight from a municipal wastewater treatment plant that serves 10,000 or more persons	0.65 grams per kilogram of dry sludge input

(Eff. 1/18/97, Register 141; am 5/3/2002, Register 162; am / /2008, Register )

...

18 AAC 50.055(a)(9)(D) is amended to read:

(D) the federal administrator approves a **stationary source** [FACILITY]-specific revision to the state implementation plan, required under 42 U.S.C. 7410, authorizing the application of this opacity limit instead of the opacity limit otherwise applicable under this section.

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 11/4/99, Register 152; am 5/3/2002, Register 162; am 10/1/2004, Register 171; am / /2008, Register )

...

18 AAC 50.090(b) is amended to read:

(b) [IN ACCORDANCE WITH THE DEPARTMENT'S *AIR QUALITY*

*COMPLIANCE CERTIFICATION PROCEDURES FOR VOLATILE LIQUID STORAGE TANKS, DELIVERY TANKS, AND LOADING RACKS*, ADOPTED BY REFERENCE IN 18 AAC 50.030, t] The owner or operator of a delivery tank that is to be loaded with volatile liquid at a loading rack described in (a) of this section shall

(1) perform annual tests to certify that the delivery tank is vapor-tight in accordance with EPA Method 27, adopted by reference in 18 AAC 50.040(a), as modified by the following definitions:

(A) time period of the pressure test (t) is five minutes;

(B) initial pressure (P) is 450 mm of water (17.7 inches of water);

(C) allowable pressure change ( $\Delta p$ ) is 75 mm of water (3 inches of water); and

(D) gasoline means volatile liquid;

(2) mark the delivery tank with the month and year that the tank was last certified vapor-tight according to the test required under (1) of this subsection as follows:

(A) for a delivery tank that is a tank truck or a trailer, mark in accordance with the requirements of 49 C.F.R. 180.415(b)(3)(vii), as revised as of October 1, 2006, and adopted by reference;

(B) for a delivery tank is a rail tank car:

(i) the delivery tank must be marked with letters and numerals at least four inches high;

(ii) the color of the letters and numerals must contrast with the color of the tank;

(iii) the delivery tank must be marked on both sides; the exact location is not specified, but the markings must be clearly visible; and

(iv) the marking must be "V – month/year";

(3) provide the owner, operator, or permittee of the loading rack with a copy of the most recent test results under (1) of this subsection; and

(4) keep a copy of the most recent test results with the delivery tank.;

(Eff. 1/18/97, Register 141; am 10/1/2004, Register 171; am / /2008, Register )



...

18 AAC 50.215(a) is repealed and readopted to read:

**18 AAC 50.215. Ambient air quality analysis methods. (a) A person who submits meteorological and/or ambient air monitoring data under AS 46.03, AS 46.14, or this chapter shall obtain the data in accordance with**

**(1) the department's *Alaska Quality Assurance Manual For Ambient Air Quality Monitoring*, adopted by reference in 18 AAC 50.030, for PM-10, total suspended particulates (TSP), lead, carbon monoxide, nitrogen dioxide, sulfur dioxide, and ammonia;**

**(2) a reference method or an equivalent method described in 40 C.F.R Part 50, adopted by reference in 18 AAC 50.035, for ozone; [OR]**

**(3) EPA's *Meteorological Monitoring Guidance for Regulatory Modeling Applications*, adopted by reference in 18 AAC 50.035(a)(4), for meteorological data; or**

**(4) an alternative method that is representative, accurate, verifiable, capable of replication, and approved by the department.**

...

18 AAC 50.215(b)(1) is amended to read:

(1) ensure that estimates of ambient concentrations and impairment to visibility are based on applicable air quality models, databases, and other requirements specified in the EPA's *Guideline on Air Quality Models [(REVISED)]*, adopted by reference in **18 AAC 50.040(f)** [18 AAC 50.030]; and

...

18 AAC 50.215(c) is amended to read:

(c) A person may substitute or modify an air quality model referenced in (b)**(1)** of this section only after

**(1) demonstrating consistent with Section 3.2.2 (Use of Alternative Models – Recommendations) of EPA's *Guideline of Air Quality Models*, adopted by reference in 18 AAC 50.040(f), that the alternative air quality model is more**

**appropriate than a preferred air quality model; and** [OBTAINING APPROVAL FROM THE DEPARTMENT FOR A PROTOCOL TO BE USED IN PERFORMING THE ANALYSIS REQUIRED BY (2) OF THIS SUBSECTION];

(2) **obtaining approval from the EPA regional administrator and the commissioner (or his designee);** [UNDERTAKING AND SUBMITTING A COMPARATIVE ANALYSIS OF THE AIR QUALITY MODELS USING THE APPROVED PROTOCOL, WHICH MUST BE FASHIONED AFTER THOSE OUTLINED IN THE EPA'S *WORKBOOK FOR COMPARISON OF AIR QUALITY MODELS* AND *INTERIM PROCEDURES FOR EVALUATING AIR QUALITY MODELS (REVISED)*, ADOPTED BY REFERENCE IN 18 AAC 50.030; AND

(3) OBTAINING APPROVAL FROM THE FEDERAL ADMINISTRATOR AND THE COMMISSIONER FOR THE SUBSTITUTION OR MODIFICATION IF AN AMBIENT AIR QUALITY ANALYSIS IS REQUIRED BY 18 AAC 50.306.]

...

18 AAC 50.215(d) Table 5 is amended to read:

**Table 5. Significant Impact Levels (SILs)**

	Annual	Averaging time (hours)			
		24	8	3	1
Pollutant Sulfur dioxide.....	1.0 µg/m <sup>3</sup>	5 µg/m <sup>3</sup>	.....	25 µg/m <sup>3</sup>	.....
PM-10.....	1.0 µg/m <sup>3</sup>	5 µg/m <sup>3</sup>	.....	.....	.....
Nitrogen dioxide....	1.0 µg/m <sup>3</sup>	.....	.....	.....	.....
Carbon monoxide...	.....	.....	500 µg/m <sup>3</sup>	.....	2,000 µg/m <sup>3</sup>

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; **am** / /2008, Register )

...

18 AAC 50.225(b) is repealed and readopted to read:

**(b) To request approval under this section of limits on the ability to emit, the owner or operator shall submit to the department**

**(1) a completed stationary source identification form;**

**(2) a list of all emission units at the stationary source;**

**(3) a calculation of the stationary source's actual emissions and potential to emit air pollutants;**

**(4) a description of the proposed limits, including for each air pollutant a calculation of the effect the limits will have on the stationary source's potential to emit and the allowable emissions;**

**(5) a description of a verifiable method to attain and maintain the limits, including monitoring and recordkeeping requirements;**

**(6) a citation to the requirement that the person seeks to avoid, including an explanation of why the requirement would apply in the absence of the limits and how the limits allow the person to avoid the requirement;**

**(7) if applying the limits doesn't avoid all permit classifications, a description, and if necessary an application, for the new classification;**

**(8) a statement that the owner or operator of the stationary source will be able to comply with the limits; and**

**(9) a certification, bearing the signature of the person requesting the limit, that states: "Based on information and belief formed after reasonable inquiry, I certify that the statements and information in this request are true, accurate, and complete."**

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am 1/29/2005, Register 173; **am / /2008, Register** )

...

18 AAC 50.306(b)(1)(A) is amended to read:

(A) "federal administrator" in 40 C.F.R. 52.21(b)(17), (b)(37), (b)(43), **(b)(48)(ii)(c), (i)(1)(x)**, (l)(2), and (p)(2), and in the second reference to "the Administrator" in 40 C.F.R. 52.21(y)(7); and

...

18 AAC 50.306(b)(2) is repealed:

(2) repealed / /;

...

18 AAC 50.306(b)(3) is repealed:

(3) repealed / /;

...

18 AAC 50.306(c) is amended to read:

(c) The department will issue each permit under this section following the procedures and other requirements of AS 46.14, and of 40 C.F.R. 51.166(f) [40 C.F.R. 52.166(F)] and (q)(2), and 40 C.F.R. 52.21, as adopted by reference in 18 AAC 50.040, with the following additions and exemptions:

(Eff.10/1/2004, Register 171; am / /2008, Register )

...

18 AAC 50.400(d) is amended to read:

(d) Before the department takes action on any permit application received, and if the minor permit is to be issued using the fast-track procedures in 18 AAC 50.542(b) – (c), the permittee, owner, or operator of a stationary source described in 18 AAC 50.326 or 18 AAC 50.502 not subject to (c) of this section who requests a minor permit must pay a nonrefundable one-time permit fee of \$3,975. However, if fast-track procedures are not available under 18 AAC 50.542(b)(1), the permittee, owner, or operator must pay, for a stationary source other than one described in 18 AAC 50.502(b), an [AND] additional nonrefundable permit fee of \$2,650.

...

18 AAC 50.400(e)(3) is repealed:

(3) repealed / /.

...

18 AAC 50.400(f) is repealed:

(f) **Repealed** / / \_\_\_\_\_.

...

18 AAC 50.400(g) is amended to read:

(g) If the department prepares a [NEW] general operating permit or a [NEW] general minor permit, the department will determine the cost of that permit by multiplying the number of hours the department spent to develop the permit by the hourly rate of salary and benefits of the department employees who developed the permit. This cost will be divided by the number of permittees who receive or are expected to receive the permit to determine the permit administration fee.

...

18 AAC 50.400(m)(6) is repealed:

(6) **repealed** / / \_\_\_\_\_;

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am 12/1/2004, Register 172; am 1/29/2005, Register 173; **am / /2008, Register** )

...

18 AAC 50.500 Article 5 Section Headings 509 is repealed:

509. **Repealed** / / \_\_\_\_\_

...

18 AAC 50.502(c) is amended to read:

(c) The owner or operator must obtain a minor permit under this section before [COMMENCING]

(1) **beginning actual** construction of a new stationary source, **or**

**modifying an existing stationary source, where the resulting** [WITH A] potential to emit **(PTE) would be** greater than

(A) 15 TPY of PM-10;

(B) 40 TPY of nitrogen oxides;

(C) 40 TPY of sulfur dioxide;

(D) 0.6 TPY of lead; or

(E) 100 TPY of carbon monoxide within 10 kilometers of a nonattainment area; or

(2) **beginning actual** construction, or[, ] if not already authorized in a permit under this chapter, relocation

(A) on or after December 3, 2005 of a portable oil and gas operation, unless the owner or operator

(i) complies with an existing operating permit developed for the portable oil and gas operation at the permitted location; or

(ii) operates as allowed under AS 46.14.275 (Timely and Complete Application as Shield) without an operating permit;

(B) after October 1, 2004 of an emission unit with a rated capacity of 10 million Btu or more per hour in a sulfur dioxide special protection area established under 18 AAC 50.025(c); or

(3) **beginning** a physical change to or **a** change in the method of operation of an existing stationary source with a potential to emit an air pollutant greater than an amount listed in (1) of this subsection that will cause for that pollutant an emissions increase calculated at the discretion of the owner or operator as either an increase in

(A) potential to emit that is greater than

(i) 10 TPY of PM-10

**(ii)** [i] 10 TPY of sulfur dioxide;

(iii) 10 TPY of nitrogen oxides; or

(iv) 100 TPY of carbon monoxide for a stationary source within 10 kilometers of a nonattainment area; or

(B) actual emissions and a net emissions increase greater than

(i) 10 TPY of PM-10

**(ii)** [i] 10 TPY of sulfur dioxide;

(iii) 10 TPY of nitrogen oxides; or

(iv) 100 TPY of carbon monoxide for a stationary source within 10 kilometers of a nonattainment area.

...

18 AAC 50.502(d)(2) is amended to read:

(2) if qualified, may apply for **and** [AN] operate under a general operating permit that was issued before October 1, 2004 and that has not expired or been revoked by the department as of the date the department receives a complete application; the owner or operator may

...

18 AAC 50.502(d)(2)(A) is amended to read:

(A) continue to operate under that permit **or authorization**, which remains in effect regardless of the stated expiration date in the permit, unless the department takes action under AS 46.14.280; or

...

18 AAC 50.502(g)(1) is repealed:

(1) **repealed** / / \_\_\_\_\_;

...

18 AAC 50.502(g)(2) is repealed:

(2) **repealed** / / \_\_\_\_\_;

...

18 AAC 50.502(h)(4) is amended to read:

(4) “projected actual emissions” means the maximum annual rate, in tons per year, at which an existing emission unit is projected to emit a regulated NSR pollutant in any one of the five 12-month periods following the date the unit resumes regular operation after the project, or in any one of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or the potential to emit that regulated NSR pollutant and full utilization of the unit would result in an emissions increase or a net emissions increase greater than a threshold in (c)(3) of this section;[.]

...

18 AAC 50.502(h) is amended by adding a new paragraph to read:

**(5) “beginning actual construction” has the meaning given in 40 C.F.R. 52.21(b) adopted by reference in 18 AAC 50.040.**

...

18 AAC 50.508(1) is repealed:

(1) **repealed** / / \_\_\_\_\_;

...

18 AAC 50.508(2) is repealed:

(2) **repealed** / / \_\_\_\_\_;

...

18 AAC 50(508)(5) is amended to read:

(5) establishing an owner requested limit (ORL) **at** [FOR] a stationary source; the owner or operator may avoid a permit classification under AS 46.14.130 if the department approves an owner requested limit on the source’s ability to emit air pollutants; a limitation approved under an ORL is an enforceable limitation for the purpose of determining

...



18 AAC 50.509 is repealed:

**18 AAC 50.509. Repealed / / \_\_\_\_.** (Eff. 10/1/2004, Register 171; **repealed / / 2008, Register \_\_\_\_**)

(Eff. 10/1/2004, Register 171; **am / / 2008, Register \_\_\_\_**)

...

18 AAC 50.540(f) is repealed:

(f) **Repealed / / \_\_\_\_.**

...

18 AAC 50.540(g) is repealed:

(g) **Repealed / / \_\_\_\_.**

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am 12/3/2005, Register 176; **am / / 2008, Register \_\_\_\_**)

...

18 AAC 50.542(f)(4) is repealed:

(4) **repealed / / \_\_\_\_;**

...

18 AAC 50.542(f)(5) is repealed:

(5) **repealed / / \_\_\_\_;**

...

18 AAC 50.542(g)(1) is amended to read:

(1) as provided in 40 C.F.R. 52.21, adopted by reference in 18 AAC 50.040, for a [CLEAN UNIT, POLLUTION CONTROL PROJECT, OR] plantwide

applicability limitation; and

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am / /2008, Register  
\_\_\_\_\_)

...

18 AAC 50.544(c) is amended to read:

(c) In each minor permit under 18 AAC 50.502(c), the department will include:  
[TERMS AND CONDITIONS]

(1) terms and conditions as necessary to ensure that the proposed stationary source or modification will not cause or contribute to a violation of any ambient air quality standard or the standards found in [of] 18 AAC 50.110, or to impose a limit under 18 AAC 50.201, including terms and conditions under AS 46.14.180 for

(A) installation, use, and maintenance of monitoring equipment;

(B) sampling emissions according to the methods prescribed by the department and at locations and intervals, and by procedures specified by the department;

(C) providing source test reports, monitoring data, emissions data, and information from analyses of any test samples;

(D) keeping records; and

(E) making periodic reports on process operations and emissions;

(2) terms and condition requiring performance tests for emission limits under 18 AAC 50.050 – 18 AAC 50.090; and

(3) terms and conditions requiring maintenance of equipment according to the manufacturer’s or operator’s maintenance procedures, including requirements to keep a copy of either the manufacturer’s or the operator’s maintenance procedures.

...

18 AAC 50.544(e) is repealed:

(e) Repealed / / \_\_\_\_\_.

...

18 AAC 50.544(h) is amended to read:

(h) **In each** [A] minor permit establishing an owner requested limit (ORL) under 18 AAC 50.508(5), **the department will include terms and conditions that:** [CONSISTS OF A LETTER OF APPROVAL FROM THE DEPARTMENT. IN THE LETTER OF APPROVAL, THE DEPARTMENT WILL]

(1) describe the [TERMS AND CONDITIONS] **ORL** [OF THE APPROVAL], including [THE LIMITS,] specific testing, monitoring, recordkeeping, and reporting requirements;

(2) list all equipment covered by the [APPROVAL] **ORL; and**

(3) describe the [PERMIT] **classification** that the [LIMIT] **ORL** allows the owner or operator to avoid, **or the ambient air quality standard or maximum allowable increase that will be protected.**; AND

(4) SET OUT THE STATEMENT “I UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS OF THIS APPROVAL” FOLLOWED BY A SPACE FOR THE OWNER’S OR OPERATOR’S SIGNATURE; THE ORL BECOMES EFFECTIVE ON THE DATE OF THE SIGNATURE].

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am 1/29/2005, Register 173; **am / /2008, Register** )

...

18 AAC 50.546(a) is amended to read:

**18 AAC 50.546. Minor permits: Revisions.** (a) The department will use the procedures of 18 AAC 50.540 – 18 AAC 50.544 to revise a minor permit, either at the request of the permittee **or upon the department’s discretion**, in accordance with AS 46.14.280.

(Eff. 10/1/2004, Register 171; **am / /2008, Register** )

...

18 AAC 50.990(8)(B) is amended to read:

(B) in the definition of “potential to emit” in 40 C.F.R. 51.166(b), the words “or enforceable as a practical matter” are added after “federally

enforceable”, as provided in 40 C.F.R. 51.166(w)(2)(ii)(b), **as revised as of July 1, 2007**;

...

18 AAC 50.990(21) is repealed:

(21) **repealed / /**;

...

18 AAC 50.990(42)(A) is amended to read:

(A) for stack heights exceeding 213 feet, has the meaning given in 40 C.F.R. 51.100(ii), as revised as of July 1, **2007** [2003] and adopted by reference; or

...

18 AAC 50.990(52) is amended to read:

(52) “major stationary source” means

(A) for the purposes of 18 AAC 50.306, a stationary source or physical change that meets the definition of “major stationary source” under 40 C.F.R. 51.166(b)(1), **as revised as of July 1, 2007**;

(B) for the purposes of 18 AAC 50.311, a stationary source or physical change that meets the definition of “major stationary source” under 40 C.F.R. 51.165(a)(1)(iv), **as revised as of July 1, 2007**;

...

18 AAC 50.990(53) is amended to read:

(53) “major modification” means

(A) for the purposes of 18 AAC 50.306, a change that meets the definition of “major modification” under 40 C.F.R. 51.166(b)(2), **as revised as of July 1, 2007**;

(B) for the purposes of 18 AAC 50.311, a change that meets the

definition of “major modification” under 40 C.F.R. 51.165(a)(1)(v), **as revised as of July 1, 2007**;

...

18 AAC 50.990(59) is amended to read:

(59) "modification" or "modify" has the meaning given to “modification” in **42 U.S.C. 7411(a) (Clean Air Act, Section 111(a))** [AS 46.14.990];

...

18 AAC 50.990(61) is amended to read:

(61) "nonattainment air pollutant" means the air pollutant for which a particular area has been designated by the federal administrator as nonattainment in 40 C.F.R. 81.302, **as revised as of July 1, 2007**;

...

18 AAC 50.990(63) is amended to read:

(63) "nonroad engine" has the meaning given in 40 C.F.R. 89.2, as revised as of **September 18, 2007** [JULY 1, 2003], adopted by reference;

...

18 AAC 50.990(77) is repealed:

(77) **repealed** / / \_\_\_\_\_;

...

18 AAC 50.990(92) is amended to read:

(92) “regulated NSR pollutant” has the meaning given in 40 C.F.R. 51.166(b)(49), **as revised as of July 1, 2007**;

(Eff. 1/18/97, Register 141; am 6/14/98, Register 146; am 6/21/98, Register 146; am 9/4/98, Register 147; am 11/4/99, Register 152; am 1/1/2000, Register 152; am 2/2/2002, Register 161; am 5/3/2002, Register 162; am 11/15/2002, Register 164; am 8/8/2003,

Register 167; am 10/1/2004, Register 171; am 12/3/2005, Register 176; am / /2008,  
Register )