

SEAN PARNELL  
LIEUTENANT GOVERNOR  
www.lt.gov.state.ak.us



PO Box 110015  
Juneau, Alaska 99811-0015  
907.465.3520  
907.465.5400 Fax  
lt.governor@alaska.gov

STATE OF ALASKA  
OFFICE OF THE LIEUTENANT GOVERNOR  
JUNEAU

MEMORANDUM

**To:** Gary Mendivil, AAC Contact  
Department of Environmental Conservation  
**Date:** June 25, 2008

**From:** Jason Hooley  
Special Assistant  
**Telephone:** (907) 465-4082

**Re:** Filed Permanent Regulations: Department of Environmental Conservation

Air Quality: 18 AAC 50.020(b); 18 AAC 50.030; 18 AAC 50.40; 18 AAC 50.050(b); 18 AAC 50.055(a)(9)(D); 18 AAC 50.090(b); 18 AAC 50.215; 18 AAC 50.225(b); 18 AAC 50.306(b), (c); 18 AAC 50.400(e) - (h), (m)(6); 18 AAC 50.502(c), (g); 18 AAC 50.508; 18 AAC 50.509; 18 AAC

---

Attorney General File: 993-08-0042  
Regulation Filed: 6/25/2008  
Effective Date: 7/25/2008  
Print: 187, October 2008

cc with enclosures:

Linda Miller, Department of Law  
Judy Herndon, LexisNexis  
Eugene Harnett, Administrative Regulation Review Committee  
Liz Williams, Administrative Regulation Review Committee  
Thomas Turner, Department of Environmental Conservation  
Rebecca Tyson Smith, Department of Environmental Conservation

FOR DELEGATION OF LIEUTENANT GOVERNOR'S AUTHORITY

I, SEAN PARNELL, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, as authorized by AS 44.62.080, designate the following Special Assistant to the Lieutenant Governor to perform the Administrative Procedures Act filing functions of the Lieutenant Governor:

Jason Hooley, Special Assistant, Office of the Lieutenant Governor

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, at Anchorage, on July 31, 2007.

*Sean Parnell*

SEAN PARNELL  
LIEUTENANT GOVERNOR



ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

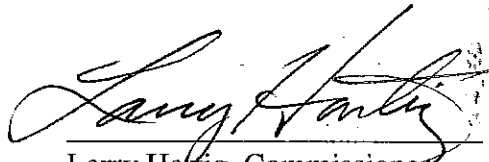
The attached 31 pages of regulations, dealing with Air Quality Control are hereby adopted and certified to be a correct copy of the regulation changes that the Department of Environmental Conservation adopts under the authority of AS 46.03 and AS 46.14 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Environmental Conservation paid special attention to the cost to private persons of the regulatory action being taken. The Department of Environmental Conservation also gave special attention to alternate practical methods in this regulatory action, as required by AS 46.03.024.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

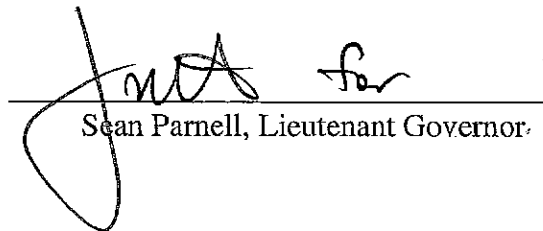
DATE: June 17, 2008  
at Juneau, Alaska



Larry Hartig, Commissioner  
Department of Environmental Conservation

FILING CERTIFICATION

*Jason M. Hooley for*  
I, Sean Parnell, Lieutenant Governor for the State of Alaska, certify that on June 25,  
2008, at 3:23p.m., I filed the attached regulations according to the provisions of AS 44.62.040 –  
44.62.120.



Sean Parnell, Lieutenant Governor

Effective: July 25, 2008.

Register: 187, October 2008.

FOR DELEGATION OF LIEUTENANT GOVERNOR'S AUTHORITY

I, SEAN PARNELL, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, as authorized by AS 44.62.080, designate the following Special Assistant to the Lieutenant Governor to perform the Administrative Procedures Act filing functions of the Lieutenant Governor:

Jason Hooley, Special Assistant, Office of the Lieutenant Governor

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, at Anchorage, on July 31, 2007.

*Sean Parnell*

SEAN PARNELL  
LIEUTENANT GOVERNOR



The editor's note for 18 AAC 50.015 is changed:

**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.

As of Register 184 (January 2008), the regulations attorney made a technical revision under AS 44.62.125(b)(6), to Table 1 in 18 AAC 50.015(c).

18 AAC 50.020(b)(2) is amended to read:

(2) in areas designated as Class I, II, or III, increases in air pollutant concentration over the baseline concentration shall be limited to the concentrations in Table 3 in this **subsection** [SUBSECTIONS];

18 AAC 50.020(b) Table 3 is amended to read:

**Table 3**  
**Maximum Allowable Increases**

Classification of area in 18 AAC 50.015(c)  Table 1	Air Pollutant	Maximum allowable increase (micrograms per cubic meter)
CLASS I	PM-10:	
	Annual arithmetic mean .....	4
	24-hour maximum .....	8
	Sulfur <b><u>dioxide</u></b> [DIOXIDE]:	
	Annual arithmetic mean .....	2
	24-hour maximum .....	5
	3-hour maximum .....	25
	Nitrogen <b><u>dioxide</u></b> [DIOXIDE]:	
	Annual arithmetic mean .....	2.5

CLASS II	PM-10: Annual arithmetic mean ..... 17 24-hour maximum ..... 30	
	Sulfur <b><u>dioxide</u></b> [DIOXIDE]: Annual arithmetic mean ..... 20 24-hour maximum ..... 91 3-hour maximum ..... 512	
	Nitrogen <b><u>dioxide</u></b> [DIOXIDE]: Annual arithmetic mean ..... 25	
CLASS III	PM-10: Annual arithmetic mean ..... 34 24-hour maximum ..... 60	
	Sulfur <b><u>dioxide</u></b> [DIOXIDE]: Annual arithmetic mean ..... 40 24-hour maximum ..... 182 3-hour maximum ..... 700	

	Nitrogen <b><u>dioxide</u></b> [DIOXIDE]: Annual arithmetic mean .....	..... 50
--	---	----------

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

**Authority:** AS 46.03.020 AS 46.14.010 AS 46.14.030

18 AAC 50.030(3) is amended to read:

(3) **except as provided in 18 AAC 50.090(b)**, the department's *Air Quality Compliance Certification Procedures for Volatile Liquid Storage Tanks, Delivery Tanks, and Loading Racks*, as amended through December 10, 1992;

(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 3/27/2002, 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 12/30/2007, Register 184; am 5/17/2008, Register 186; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_\_)

**Authority:** AS 46.03.020 AS 46.14.030 Sec. 30, ch. 74, SLA 1993  
 AS 46.14.020 AS 46.14.140

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

(3) the United States Environmental Protection Agency's (EPA) publication



Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

AP-42, *Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources*, Fifth Edition with Supplements **A - F and annual updates** [A-E], as **updated** [AMENDED] through **December 2007** [SEPTEMBER 1999];

18 AAC 50.035(a)(5) is amended to read:

(5) *Ambient Monitoring Guidelines for Prevention of Significant Deterioration (PSD)*, EPA 450/4-87-007, May 1987; [AND]

18 AAC 50.035(a) is amended by adding new paragraphs to read:

(7) *SCREEN3 Model User's Guide*, EPA 454/B-95-004, dated September 1995;

(8) *Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised*, EPA-454/R-92-019, dated October 1992.

The lead-in language of 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 \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 46.03.020 AS 46.14.020 AS 46.14.140  
AS 46.14.010 AS 46.14.030 Sec. 30, ch. 74, SLA 1993

The lead-in language of 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:

• • •

The lead-in language of 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 **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 **July 16, 2007** [NOVEMBER 12, 2004], are adopted by reference as they apply to a Title V source:

(1) Subpart A (General Provisions), except 40 C.F.R. 63.5(e)(2) - (f);

(2) Subpart B (Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections, Sections 112(g) and 112(j)), except that

(A) 40 C.F.R. 63.50 and 40 C.F.R. 63.54 are not adopted; and

(B) the requirements of 40 C.F.R. 63.51 - 40 C.F.R. 63.53, 40 C.F.R.

63.55, and 40 C.F.R. 63.56 apply to the owner or operator of a hazardous air pollutant

major source that includes one or more sources from a category or subcategory established under 42 U.S.C. 7412(c)(1) (Clean Air Act, sec. 112(c)(1)) for which the EPA administrator has failed to promulgate an emission standard within 18 months after the deadline established for doing so in 42 U.S.C. 7412(e) (Clean Air Act, sec. 112(e));

(3) Subpart D (Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants);

(4) Subpart M (National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities);

(5) Subpart N (Chromium Electroplating and Anodizing);

(6) Subpart Q (Industrial Process Cooling Towers);

(7) Subpart R (Gasoline Distribution Facilities: Bulk Gasoline Terminals and Pipeline Breakout Stations);

(8) Subpart T (Halogenated Solvent Cleaning);

(9) Subpart Y (Marine Tank Vessel Loading Operations);

(10) Subpart CC (Petroleum Refineries);

(11) Subpart DD (Off-Site Waste and Recovery Operations);

(12) Subpart GG (Aerospace Manufacturing and Rework Facilities);

(13) Subpart HH (Oil and Natural Gas Production Facilities);

(14) Subpart II (Shipbuilding and Ship Repair);

(15) Subpart JJ (Wood Furniture Manufacturing);

(16) Subpart KK (Printing and Publishing Industry);

(17) Subpart HHH (Natural Gas Transmission and Storage Facilities);

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

(18) Subpart LLL (Portland Cement Plants);

(19) Subpart UUU (Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units);

(20) Subpart AAAA (Municipal Solid Waste Landfills);

(21) Subpart EEEE (Organic Liquids Distribution (Non-Gasoline));

(22) Subpart YYYY (Stationary Combustion Turbines);

(23) Subpart ZZZZ (Stationary Reciprocating Internal Combustion Engines);

(24) [SUBPART DDDDD (INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BOILERS AND PROCESS HEATERS);

(25)] Subpart GGGGG (Site Remediation);

(25) [(26)] Subpart PPPPP (Engine Test Cells/Stands);

(26) **Subpart LLLLLL (Acrylic and Modacrylic Fibers Production Area**

**Sources);**

(27) **Subpart MMMMMM (Carbon Black Production Area Sources);**

(28) **Subpart NNNNNN (Chemical Manufacturing Area Sources:**

**Chromium Compounds);**

(29) **Subpart OOOOOO (Flexible Polyurethane Foam Production and**

**Fabrication Area Sources);**

(30) **Subpart PPPPPP (Lead Acid Battery Manufacturing Area Sources);**

(31) **Subpart QOOOOO (Wood Preserving Area Sources);**

(32) [(27)] Appendix A (Test Methods);

(33) [(28)] Appendix B (Sources Defined for Early Reduction Provisions).

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.

The lead-in language of 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, **2007** [2004], are adopted by reference:

...

The lead-in language of 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 2, 2007** [JULY 1, 2004], are

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

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) mass balance calculations as authorized under 40 C.F.R.**

**52.21(aa)(12)(ii)(a) are also acceptable for activities using coating or solvents or for activities emitting sulfur dioxide from the combustion of fuel;**

**(B) the requirements of 40 C.F.R. 52.21(aa)(12)(iii) also apply to owners or operators 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.**

The lead-in language of 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 2, 2007** [JULY 1, 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) mass balance calculations as authorized under 40 C.F.R.**

**51.165(f)(12)(ii)(A) are also acceptable for activities using coating or solvents or for activities emitting sulfur dioxide from the combustion of fuel;**

**(B) the requirements of 40 C.F.R. 51.165(f)(12)(iii) also apply to owners or operators using mass balance calculations to monitor PAL pollutant**

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

**emissions from activities using coating or solvents or from activities emitting sulfur dioxide from the combustion of fuel.**

The lead-in language of 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 2, 2007** [JULY 1, 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; \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 46.03.020            AS 46.14.020            AS 46.14.030  
AS 46.14.010



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

**Table 4**

**Particulate Matter Standards for Incinerators**

<b>Incinerator</b>	<b>Particulate Matter Standard</b>
Rated capacity less than <b><u>1,000</u></b> [1000] pounds per hour	No limit
Rated capacity greater than or equal to <b><u>1,000</u></b> [1000] but less than <b><u>2,000</u></b> [2000] pounds per hour	0.15 grains per cubic foot of exhaust gas corrected to 12 percent <b><u>carbon dioxide</u></b> [CO <sub>2</sub> ] and standard conditions, averaged over three hours
Rated capacity greater than or equal to <b><u>2,000</u></b> [2000] pounds per hour	0.08 grains per cubic foot of exhaust gas corrected to 12 percent <b><u>carbon dioxide</u></b> [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 \_\_/\_\_/\_\_, Register \_\_\_\_)

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

**Authority:** [SEC. 30, CH. 74, AS 46.03.020 AS 46.14.030  
SLA 1993] AS 46.14.020 Sec. 30, ch. 74, SLA 1993  
AS 46.14.010

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

(D) the federal administrator approves a **stationary source-specific** [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 \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 46.03.020 AS 46.14.020 Sec. 30, ch. 74, SLA 1993  
AS 46.14.010 AS 46.14.030

18 AAC 50.090(b) is amended to read:

(b) **The** [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, 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; **the owner or operator shall perform an annual test in accordance with 40 C.F.R. Part 60, Appendix**

**A-8, Method 27, adopted by reference in 18 AAC 50.040(a), except that**

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

**(B) the initial pressure (P) is 450 millimeters, or 17.7 inches, of water;**

**(C) the allowable pressure change is 75 millimeters, or three inches,  
of water; and**

**(D) the test shall be performed for the volatile liquid as it would be  
for gasoline;**

(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 the tank portion of a tank truck or tank trailer, the delivery tank must be marked in accordance with the requirements of 49 C.F.R. 180.415(b)(3)(vii), as revised as of October 1, 2007, and adopted by reference;**

**(B) for a delivery tank that is the tank portion of 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; a marking need not appear in an exact location; however, each marking must be clearly visible;**

**(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 \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 46.03.020 AS 46.14.020 Sec. 30, ch. 74, SLA 1993

AS 46.14.010 AS 46.14.030

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 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, Appendices D and H, adopted by reference in 18 AAC 50.035(b), for ozone;

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

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

The lead-in language of 18 AAC 50.215(b) is amended to read:

(b) Except as provided in (c) **and (e)** of this section, a person who submits an analysis performed to predict ambient air quality conditions shall

• • •

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 **40 C.F.R. Part 51, Appendix W (Guideline on Air Quality Models)** [THE EPA'S GUIDELINE ON AIR QUALITY MODELS (REVISED)], adopted by reference in 18 AAC 50.040(f); and

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

(c) Except as provided in (e) of this section, a person may substitute or modify an air quality model referenced in (b)(1) of this section only after

(1) demonstrating, consistent with 40 C.F.R. Part 51, Appendix W (Guideline on Air Quality Models), Section 3.2.2 (Use of Alternative Models -- Recommendations), 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

(2) obtaining approval from the regional administrator and the commissioner.

18 AAC 50.215(d) Table 5 is repealed and readopted to read:

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

Pollutant	Significant impact level (micrograms per cubic meter)				
	Annual	Averaging time (hours)			
		24	8	3	1
Sulfur dioxide	1.0	5	N/A	25	N/A
PM-10	1.0	5	N/A	N/A	N/A
Nitrogen dioxide	1.0	N/A	N/A	N/A	N/A
Carbon monoxide	N/A	N/A	500	N/A	2,000

**Note to Table 5:**

In this table, "N/A" means not applicable.

18 AAC 50.215 is amended by adding a new subsection to read:

(e) A person may use the SCREEN3 dispersion model, without meeting the requirements of (c) of this section, if the analysis conducted with SCREEN3 is consistent with EPA's *SCREEN3 Model User's Guide and Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised*, adopted by reference in 18 AAC 50.035(a). (Eff. 1/18/97,

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 46.03.020 AS 46.14.140 Sec. 30, ch. 74, SLA 1993  
AS 46.14.030 AS 46.14.180

18 AAC 50.225(b) is amended 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 **each** [THE] proposed limit, including for each air pollutant a calculation of the effect the limit 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 **each** [THE] limit, including monitoring and recordkeeping requirements;

(6) citation to **each** [THE] requirement that the person seeks to avoid, including an explanation of why the requirement would apply in the absence of the limit and how the limit allows the person to avoid the requirement;

(7) **if applying all limits does not avoid all permit classifications under AS 46.14 and this chapter, a description, and if necessary an application, for the remaining**

**classifications:**

**(8)** a statement that the owner or operator of the stationary source will be able to comply with **each** [THE] limit; and

**(9)** [(8)] a certification, bearing the signature of the person requesting the **limits** [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 \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 46.03.020 AS 46.14.030 AS 46.14.140  
AS 46.14.020 AS 46.14.120

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)** [40 C.F.R. 52.21(b)(17), (b)(37), (b)(43), (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 \_\_\_/\_\_\_/\_\_\_;



The lead-in language of 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) and (q)(2)** [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 \_\_/\_\_/\_\_\_\_, Register \_\_\_\_)

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	

The lead-in language of 18 AAC 50.400(e) is amended to read:

(e) Before the department takes action on an application received for a permit under **18 AAC 50.508(3)** [18 AAC 50.508(2) - (3)], the permittee, owner, or operator of a stationary source must pay a nonrefundable one-time permit fee as follows:

...

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(h)(1) is amended to read:

(1) subject to a minor permit under 18 AAC 50.502; the compliance review fee must be paid in addition to the one-time permit fees in (c) - (e) [(c) - (f)] of this section or a general minor permit fee in (g) of this section; or

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 12/30/2007, Register 184; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 37.10.050 AS 44.46.025 AS 46.14.140  
AS 37.10.052 AS 46.03.020 AS 46.14.240  
AS 37.10.058

The lead-in language of 18 AAC 50.502(c) is amended to read:

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

[COMMENCING]

• • •

The lead-in language of 18 AAC 50.502(c)(1) is amended to read:

- (1) **beginning actual** construction of a new stationary source with a potential to emit greater than

• • •

18 AAC 50.502(c)(1)(C) is amended to read:

- (C) 40 TPY of sulfur **dioxide;** [DIOXIDES]

The lead-in language of 18 AAC 50.502(c)(2) is amended to read:

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

• • •

The lead-in language of 18 AAC 50.502(c)(3) is amended to read:

- (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

...

18 AAC 50.502(g) is amended to read:

(g) An increase in emissions under (c)(3) of this section does not require a permit under that paragraph if

[(1) THE EMISSION UNIT IS DESIGNATED AS A CLEAN UNIT UNDER 40 C.F.R. 52.21(x) - (y), ADOPTED BY REFERENCE IN 18 AAC 50.040;

(2) THE PROJECT IS APPROVED TO USE THE POLLUTION CONTROL PROJECT (PCP) EXCLUSION UNDER 40 C.F.R. 52.21(2), ADOPTED BY REFERENCE IN 18 AAC 50.040; OR

(3)] a plantwide applicability limitation (PAL) is established for the stationary source under 40 C.F.R. 52.21(aa), adopted by reference in 18 AAC 50.040.

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

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	

18 AAC 50.508(1) is repealed:

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

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

18 AAC 50.508(2) is repealed:

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

The lead-in language of 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

...

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

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	

18 AAC 50.509 is repealed:

**18 AAC 50.509. Construction of a pollution control project without a permit.**

Repealed. (Eff. 10/1/2004, Register 171; repealed \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

18 AAC 50.540(f) is repealed:

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

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

18 AAC 50.540(g) is repealed:

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

18 AAC 50.540(j) is amended to read:

(j) **Owner requested limits (ORLs).** An application for a minor permit establishing an owner requested limit (ORL) **under 18 AAC 50.508(5)** must include the information and materials required under **18 AAC 50.225(b)(2) - (6) and (8)** [18 AAC 50.225(b)(2) - (7)]. (Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am 12/3/2005, Register 176; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_\_)

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	

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;

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

and

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

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	AS 46.14.200

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 **set out 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 conditions 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) [CONSISTS OF A LETTER OF APPROVAL FROM THE DEPARTMENT. IN THE LETTER OF APPROVAL], the department will **include terms and conditions that**

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

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

(3) **describe each** [DESCRIBES THE] permit **classification under AS 46.14.130** that the **ORL** [LIMIT] allows the owner or operator to avoid, **or each maximum allowable increase under 18 AAC 50.020 or ambient air quality standard 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



Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

DATE OF THE SIGNATURE].

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

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	AS 46.14.250

18 AAC 50.546(a) is amended to read:

(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 **on the department's own initiative**, in accordance with AS 46.14.280.

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

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	AS 46.14.285

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(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, sec. 111(a))** [AS 46.14.990];

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 is amended by adding new paragraphs to read:

(126) "PAL pollutant" means the pollutant for which a plantwide applicability limitation (PAL) is established at a major stationary source;

(127) "regional administrator" means the administrator of Region X of EPA. (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 12/30/2007, Register 184; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 44.46.025 AS 46.14.140 AS 46.14.250

Register \_\_\_\_, \_\_\_\_\_ 2008 ENVIRONMENTAL CONSERVATION

AS 46.03.020	AS 46.14.150	AS 46.14.255
AS 46.03.710	AS 46.14.160	AS 46.14.280
AS 46.14.010	AS 46.14.170	AS 46.14.285
AS 46.14.020	AS 46.14.180	AS 46.14.290
AS 46.14.030	AS 46.14.210	AS 46.14.300
AS 46.14.120	AS 46.14.230	AS 46.14.560
AS 46.14.130	AS 46.14.240	Sec. 30, ch. 74, SLA 1993