



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
Environmental Conservation**

OFFICE OF THE COMMISSIONER

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January 29, 2015

Dennis McLerran
Regional Administrator
U.S. EPA Region 10
1200 Sixth Avenue
Seattle, WA 98101

Subject: FNSB PM2.5 Moderate Nonattainment Area State Implementation Plan (SIP)

Dear Mr. McLerran:

On December 31, 2014, the Alaska Department of Environmental Conservation (ADEC) transmitted to you the moderate area State Implementation Plan (SIP) for the Fairbanks North Star Borough (FNSB) fine particulate matter (PM2.5) nonattainment area. At that time, a number of the adopted regulations supporting the plan were still undergoing final legal review at the Alaska Department of Law. This letter serves to supplement the December 31st SIP submittal by transmitting the final, filed regulations related to this SIP action. ADEC requests EPA review and approval of the FNSB moderate area PM2.5 SIP, adopted by reference into the Alaska Administrative Code (AAC) at 18 AAC 50.030, with an effective date of February 5, 2015.

The Alaska Department of Environmental Conservation (DEC) is submitting the enclosed supporting documents to supplement and complete the December 31st SIP transmittal:

- New or revised Alaska Administrative Code: 18 AAC 50.007, 18 AAC 50.030, 18 AAC 50.065, 18 AAC 50.075, 18 AAC 50.076, 18 AAC 50.077, 18 AAC 50.245, 18 AAC 50.246, and 18 AAC 50.990;
- Lt. Governor's certified Filing Certificate for Permanent Regulations along with appropriate delegations, including Signed Adoption Order, for 18 AAC 50.030 with an effective date of regulation February 5, 2015;
- Lt. Governor's certified Filing Certificate for Permanent Regulations along with appropriate delegations, including Signed Adoption Order, for 18 AAC 50 with an effective date of regulation February 28, 2015; and
- Nine oral hearing affidavits, one affidavit of agency record of public comment, and one affidavit of notice of proposed adoption of regulations and furnishing of additional information, signed in Anchorage on January 27, 2015 (affidavits were previously submitted on December 31st, but were revised to reflect correct judicial district).

We are providing one paper copy and one electronic version of the above documents to Lucy Edmondson of your staff (note that the electronic version is an exact duplicate of the paper copy). The FNSB PM2.5 moderate area SIP and the following supporting documents were previously provided for your use in evaluating and taking action on this SIP:

- Notices of Public Comment Period for Air Quality PM2.5 regulations, signed September 19, 2013, September 25, 2013, November 14, 2013, December 13, 2013, and January 10, 2014;
- Affidavits of Publication for the Public Notices for Air Quality PM2.5 regulations signed September 19, September 25, November 14, December 13, 2013 and January 10, 2014 (published in the Anchorage Daily News, Fairbanks Daily News Miner, and Juneau Empire).
- Notice of Public Comment Period for PM2.5 regulations and the State Implementation Plan, signed November 14, 2014;
- Affidavits of Publication for the Public Notice (published in the Anchorage Daily News and Fairbanks Daily News Miner on November 17 and 18, 2014), signed November 18, 2014;
- Affidavits of Agency Record of Public Comment, signed November 24, 2014 and December 23, 2014;
- Response to Comment documents dated November 14, 2014 and December 24, 2014;
- Affidavits of Oral Hearings held in Fairbanks on January 7, 2014 and in Juneau, Anchorage, and Fairbanks on January 21, 2014; signed November 24 and 25, 2014;
- Affidavits of Oral Hearings held in Juneau, Anchorage, and Fairbanks on December 3, 2014, and December 17, 2014; signed December 17 and 18, 2014;
- Affidavit of Notice of Proposed Adoption of Regulations and Furnishing of Additional Information, signed November 24, 2014;
- Affidavit of Notice of Proposed Adoption of Regulations and Furnishing of Additional Information, signed December 23, 2014;
- Public Review Draft of 18 AAC 50 regulations which shows the changes made to the regulations, with bold lettering as new language and bracketed language as old language, dated September 19, 2013;
- Public Review Draft of 18 AAC 50 regulations which shows the changes made to the regulations, with bold lettering as new language and bracketed language as old language, dated November 14, 2014; and
- A copy of the November 14 and December 24, 2014 adopted regulation amendments that are currently under review by the Department of Law prior to transmittal to the Lt. Governor for certification and filing.

Your staff may contact Alice Edwards at (907) 465-5109 or Cindy Heil at (907) 269-7579 for additional information as needed.

Sincerely,



Larry Hartig
Commissioner

Enclosures: 18 AAC 50 revisions filed January 6, 2015; 18 AAC 50 revisions filed January 29, 2015; adoption orders and filing certificates, revised affidavits, and Department of Law regulation mark-ups

cc: Kate Kelly, Director, Office of Air Waste and Toxics, EPA, Region 10 (via e-mail)
Rob Elleman, Acting Manager, Air Planning Unit, EPA, Region 10 (via e-mail)
Lucy Edmondson, Air Planning Unit, EPA, Region 10 (via e-mail)
Alice Edwards, Director, Division of Air Quality, DEC (via e-mail)
Cindy Heil, Air Non-Point Mobile Sources Manager, Division of Air Quality, DEC (via e-mail)