



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Environmental
Conservation**

OFFICE OF THE COMMISSIONER

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October 1, 2018

Mr. Chris Hladick
U.S. EPA Region 10
Regional Administrator's Office, RA-210
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Subject: SIP Submittal of 2018 adoption updates, 2015 ozone infrastructure, and 2015 Ozone interstate transport element in 18 AAC 50

Dear Mr. Hladick:

This letter provides amendments to 18 AAC 50, Air Quality Control regulations, with an effective date of September 15, 2018. Specific provisions are submitted for EPA approval, while other provisions are included for informational purposes only, to show a complete record of the rulemaking.

On August 16, 2018, the Lt. Governor signed and filed the following changes to the Alaska Department of Environmental Conservation's (DEC) regulations in 18 AAC 50:

- amend 18 AAC 50.025(a)(2) to update a geographic name.
- amend 18 AAC 50.030(a) to adopt revisions to the *State Air Quality Control Plan* in:
 - Volume II Section III: Areawide Pollutant Control Program: Amend Section III.L: Interstate Transport of Pollution
 - Volume III Appendix to Volume II Section II: State Air Quality Control Program: Amend Clean Air Act Section 110 Infrastructure Certification Documentation.
- amend 18 AAC 50.035(a)(3) to update the adoption by reference date of the Air Pollutant Emission Factors.
- repeal 18 AAC 50.035(a)(7) to delete language no longer needed to support other language being repealed.
- amend 18 AAC 50.035(a) by adding a new paragraph to adopt a new document.
- amend 18 AAC 50.040(a) – (k) to update the adoption dates of federal regulations adopted by reference to maintain current, consistent permitting requirements.
- amend 18 AAC 50.040(a) to add a new paragraph to adopt new federal rules by reference to maintain current, consistent permitting requirements.
- amend 18 AAC 50.055(a) to clarify language.
- amend 18 AAC 50.055(b)(3) to remove a reference to repealed language.
- amend 18 AAC 50.079(b) to clarify language intent.
- amend 18 AAC 50.215(c)(1) to update a reference within a federal document.

- amend 18 AAC 50.215(c)(2) to remove the commissioner from the approval process.
- repeal 18 AAC 50.215(e) to delete adoption of a federal dispersion model that becomes adopted by reference under 18 AAC 50.040(f).
- amend 18 AAC 50.220(b)(2), (c)(3), (d)(1); 18 AAC 50.225(b)(2), (i); 18 AAC 50.230(b), (c)(1)(E); 18 AAC 50.235(b)(1); 18 AAC 50.260(g); 18 AAC 50.260(j); 18 AAC 50.260(j)(1); 18 AAC 50.326(d), (d)(1), (d)(1)(B), (d)(1)(C), (d)(2), (d)(3), (d)(5), (e), (f), (g), (g)(5), (g)(6), (g)(7), (g)(8), (g)(9), (h), (i); 18 AAC 50.345(h)(1), (m); 18 AAC 50.346(a), (b), (c), Table 7; 18 AAC 50.400(i)(4)(A)(ii), (i)(7)(A), (i)(8)(A)(iii); 18 AAC 50.410(d); 18 AAC 50.502(c)(2)(B), (f)(1)(B), (f)(2), (f)(3), (f)(4), (h)(4); 18 AAC 50.540(c)(1)(A); 18 AAC 50.542(f)(6); 18 AAC 50.560(a); 18 AAC 50.990(8)(A), (65)(A), (78) to correct an inconsistent spelling of a term as defined in 18 AAC 50.990(32).
- amend 18 AAC 50.230(d)(1) to remove outdated language.
- amend 18 AAC 50.230(d)(2)(D) by adding language to clarify submission requirements.
- amend 18 AAC 50.230(e)(1)(A) to add language for minor permits.
- amend 18 AAC 50.311 by adding language to indicate what ammonia emissions are considered “significant” for nonattainment areas.
- amend 18 AAC 50.540(c)(2) to update a cross reference.
- amend 18 AAC 50.990(40) and 18 AAC 50.990(121) to update the adoption dates of federal definitions adopted by reference to maintain current, consistent permitting requirements.

The regulations which went into effect on September 15, 2018, did not include the proposed changes in 18 AAC 50.346 to update the adoption by reference of revised standard conditions and the adoption of a new standard condition nor any of the revisions to Standard Conditions I – XVI, due to extensive comments on them. The standard conditions will be addressed in a future adoption.

ADEC requests EPA approval of revisions to Volume II Section III: Areawide Pollutant Control Program: Section III.L: Interstate Transport of Pollution and Volume III Appendix to Volume II Section II: State Air Quality Control Program: Clean Air Act Section 110 Infrastructure Certification Documentation as meeting CAA sections 110(a)(1) and (2) requirements for the 2015 ozone NAAQS.

ADEC requests EPA approval of the following revisions:

- 18 AAC 50.025(a)(2);
- 18 AAC 50.035(a)(3), (a)(7), and new (a)(9);
- 18 AAC 50.040(f), (h), and (i);
- 18 AAC 50.055(a)(9) and (b)(3);
- 18 AAC 50.215(c) and (e);
- 18 AAC 50.220(b)(2), (c)(3), and (d)(1);
- 18 AAC 50.225(b)(2) and (i);
- 18 AAC 50.230(b), (c)(1)(E), and (e)(1)(A);
- 18 AAC 50.260(g), (j), and (l);
- 18 AAC 50.311(e) (new subsection)
- 18 AAC 50.345(h) and (m);
- 18 AAC 50.502(c)(2)(B), (f)(1)(B), (f)(2), (f)(3), (f)(4), and (h)(4);

- 18 AAC 50.540(c)(1)(A) and (c)(2);
- 18 AAC 50.542(b)(2) and (f)(6);
- 18 AAC 50.560(a); and
- 18 AAC 50.990(8)(A), (40), (65)(A), (78), (121), and (132).

Additionally, ADEC requests EPA removal of the following repealed sections from the SIP:

- 18 AAC 50.035(a)(7) and
- 18 AAC 50.215(e).

The remaining adopted revisions to 18 AAC 50 are being provided for informational purposes only, to show a complete record of the rulemaking package. We will submit the following documents via the EPA's SPeCS system. If requested, we can provide one paper copy and one electronic version of the following documents to Kristin Hall of your staff (note that the electronic version would be an exact duplicate of the paper copy):

- Lt. Governor's certified Filing Certificate for Permanent Regulations, including Signed Adoption Order and Memorandum of Filed Permanent Regulations, signed on August 16, 2018, with an effective date of regulations of September 15, 2018;
- Notice of Public Comment Period, signed January 18, 2018;
- Affidavit of Notice of Proposed Adoption of Regulations and Furnishing of Additional Information, signed January 22, 2018;
- Affidavit of Publication for the Public Notice, Anchorage Daily News, signed January 22, 2018;
- 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 January 18, 2018;
- Affidavit of Oral Hearing, signed March 15, 2018;
- Responsiveness Summary, April 16, 2018;
- Affidavit of Agency Record of Public Comment, signed April 16, 2018;
- Adoption Draft of 18 AAC 50 regulations, dated April 16, 2018;
- Readoption Draft of 18 AAC 50 regulations, August 10, 2018;
- A copy of the rekeyed regulation amendments prepared by the Department of Law for transmittal to the Lt. Governor for certification and filing, with Register 227, October 2018, handwritten;
- Explanation of Changes, January 2018; and

Denise Koch is available to your staff to respond to questions or to otherwise assist. She can be phoned at (907) 465-5109. As always, I would be pleased to discuss any of this with you.

Sincerely,



Larry Hartig,
Commissioner

cc: Timothy Hamlin, Director, Office of Air and Waste, EPA Region 10
Kristin Hall, Office of Air and Waste, EPA Region 10
Claudia Vaupel, Office of Air and Waste, EPA Region 10
Alice Edwards, Deputy Commissioner, DEC
Denise Koch, Director, Division of Air Quality
Jim Plosay, Program Manager, APP Program, DEC
Cindy Heil, Program Manager, ANPMS Program, DEC