

AIR QUALITY CONTROL: NOTICE OF PROPOSED CHANGES  
IN THE REGULATIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to adopt regulation changes relating to fine particulate matter (PM-2.5) including new and revised air quality controls and a new State Implementation Plan that is comprised of 15 sections covering monitoring, modeling, control measures, emission inventory, attainment demonstration and episode plan, which are intended to meet federal requirements for the serious nonattainment area within the Fairbanks North Star Borough (FNSB).

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt regulation changes in 18 AAC 50 of the Alaska Administrative Code, dealing with air quality and unhealthy concentrations of particulate matter pollution, including the following:

- (1) 18 AAC 50.030 is proposed to be amended to adopt revisions to the *State Air Quality Control Plan*. Those revisions include
  - a. a new section in Volume II, Section III.D.7: Fairbanks North Star Borough (FNSB) Fine Particulate Matter (PM-2.5) Serious State Implementation Plan (SIP);
  - b. amending Volume III Appendix to Volume II Section II to incorporate the proposed regulations after public review and comment. This appendix within the *State Air Quality Control Plan* contains the state's air quality regulations.
- (2) 18 AAC 50.075 is proposed to be amended to add requirements regarding visible emissions.
- (3) 18 AAC 50.076 is proposed to be amended to add requirements for wood sellers.
- (4) 18 AAC 50.077 is proposed to be amended to add requirements for wood-fired heating devices within the serious nonattainment area.
- (5) The proposed addition of 18 AAC 50.078 includes new control measures related to diesel fuel use and smaller commercial sources of PM-2.5 within the serious nonattainment area.
- (6) 18 AAC 50.079 is proposed to be amended to add requirements for coal-fired heating devices.
- (7) 18 AAC 50.990 is proposed to be amended to add definitions.

The Department will be issuing a Supplemental Public Notice to publish an additional technical appendix document for the Emission Inventory Section and technical modeling results that are currently underway. The results will be incorporated as updates to 5 figures in Section 6; 1 table and associated discussion in Section 10; and 2 tables and associated discussion in Section 14 of the Serious SIP. All areas that will be updated are currently highlighted in yellow. The supplemental notice is not anticipated to change the hearing schedule or comment period end date contained in this notice.

## **Posting**

The above list of proposed changes to the regulations only provides a summary of their subject matter. Copies of the proposed regulation changes and SIP amendments are available at <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-proposed-regulations/>. Materials not feasible to post, such as those that are copyrighted, may be viewed at the ADEC offices at the following locations: ADEC Anchorage Building, 555 Cordova St., Anchorage; ADEC Fairbanks Office Building, 610 University Avenue, Fairbanks; and ADEC Juneau Office Building, 410 Willoughby Ave., Second Floor. To arrange to view the materials, contact Adeyemi Alimi at 907-269-6953 or [Adeyemi.alimi@alaska.gov](mailto:Adeyemi.alimi@alaska.gov)

## **Questions**

You may submit written questions relevant to the proposed action to ADEC using the electronic question form link found on <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-proposed-regulations/>; by electronic mail to [dec.air.comment@alaska.gov](mailto:dec.air.comment@alaska.gov); or by mail to Adeyemi Alimi, Division of Air Quality, 555 Cordova St. Anchorage, Alaska 99501. Questions may also be submitted verbally in testimony at one of the public hearings. The Department will aggregate its response to substantially similar questions and make the questions and responses available on <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-questions-answers/>. The questions must be received at least 10 days before the end of the public comment period, Friday, July 26, 2019. The Department may, but is not required to, answer written questions received after Tuesday, July 16, 2019, the 10-day cut-off date.

## **Comments**

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 Cindy Heil, Division of Air Quality, ADEC, 555 Cordova St, Anchorage AK 99501; or by facsimile at (907) 269-7508; or by e-mail to [dec.air.comment@alaska.gov](mailto:dec.air.comment@alaska.gov); or by the electronic comment form at <https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments>. The comments must be received not later than 5:00 p.m. on Friday, July 26, 2019. Comments received after this date will not be considered in final action on these rules and the air quality plan.

## **Open House**

The Department will hold a public presentation and open house regarding the proposed regulation changes. The public presentation and open house will be held in Fairbanks on Tuesday, June 25, 2019, from 6:00 p.m. – 8:00 p.m. at the Westmark Fairbanks Hotel & Conference Center, 813 Noble Street, Fairbanks, Alaska. The Department will give a short presentation at the beginning of the open house. Formal oral testimony will not be taken at the open house, but written comments and questions may be submitted to Department staff.

## **Hearings**

The Department will also hold public hearings on this proposal. Fairbanks public hearings will be held as follows: on Wednesday, June 26, 2019, from 12:00 p.m. – 1:30 p.m. at the Fairbanks North Star Borough, 907 Terminal St., Assembly Chambers; and on June 26, 2019, from 5:00 p.m. – 8:00 p.m. at the Fairbanks North Star Borough, 907 Terminal St., Assembly Chambers. Formal oral or written comments also may be submitted at the hearings. The hearings will be

extended to accommodate those present before 1:30 p.m. or 8:00 p.m., respectively, who did not have an opportunity to comment prior to that time.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Theresa Zimmerman at (907) 465-6171 or [theresa.zimmerman@alaska.gov](mailto:theresa.zimmerman@alaska.gov) not later than June 18, 2019, to ensure that any necessary accommodations can be provided.

After the public comment period ends, ADEC will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **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 46.03.020; AS 46.14.030

**Statutes being implemented, interpreted, or made specific:** AS 46.03.010; AS 46.14.020; AS 46.14.030; AS 46.14.400

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

ADEC, Division of Air Quality keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Division of Air Quality notices of proposed regulation changes. To be added to or removed from the list, you may sign up on the Air Online Services (AOS) page at: <http://dec.alaska.gov/Applications/Air/airtoolsweb/Home/Index/>. A myAlaska account is required to use the AOS system.

Date: May 10, 2019



Jason W. Brune, Commissioner