18 AAC 50 2010 Adoption Updates Explanations

Staff Proposed Changes for Adoption Updates Regulations Rulemaking 2010

Formatting comment:

- Section that proposed changes
- Affected section of regulations
- Proposed regulation language change
- Reason for change

Proposed Changes to 18 AAC 50

- NPMS Program
- 18 AAC 50.015(b)
- Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
- Adding Fairbanks and North Pole PM2.5 nonattainment designation to regulations.

- Title V and Title I, regular updates to adoption by reference dates
- 18 AAC 50.035(b), 18 AAC 50.040
- Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
- Update adoption by reference dates, incorporation of additional Subparts of the C.F.R.
  - The updates include some significant changes for PSD, NSPS, and NESHAPs. Rules being adopted or updated include, among others:
    - National Emission Standards for Hazardous Air Pollutants for reciprocating internal combustion engines,
    - New Source Performance Standards for coal preparation and processing plants,
    - the Greenhouse Gas Tailoring Rule,
    - PM2.5 Significant Emission Rate,
    - National Emission Standards for Hazardous Air Pollutants for source categories: gasoline distribution bulk terminals, bulk plants, and pipeline facilities; and gasoline dispensing facilities,
    - New Source Performance Standards for hospital/medical/infectious waste incinerators, and
    - the Title V Flexible Air Permitting Rule.

- Title I
- 18 AAC 50.055(a)(9)
- Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
- Clarification of language concerning visible emissions.
- Title I
  - 18 AAC 50.215
  - Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
  - Addition of new subsection (f) to clarify modeling requirements.

- Title I
  - 18 AAC 50.302
  - Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
  - Addition of new subsection (c) to include language to clarify interface between Title I and Title V permits.

- Title I
  - 18 AAC 50.306(b)
  - Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
  - Addition of new subparagraphs to clarify applicable definitions and new paragraphs to clarify adoption dates of federal rules. This subsection is being repealed and readopted to address these changes.

- Title V
  - 18 AAC 50.346
  - Proposed standard condition language change—see revised Standard Condition and attached 18 AAC 50 Adoption Updates Regs document
  - Revisions to Standard Condition I to clarify that emission estimated must be submitted by a given date, not received by said date.

- Title V
  - 18 AAC 50.346
  - Proposed standard condition language change—see revised Standard Condition and attached 18 AAC 50 Adoption Updates Regs document
  - Change of language on Standard Condition II, Term 2 to correct cross reference terms.

- Title V
  - 18 AAC 50.346
  - Proposed standard condition language change—see revised Standard Condition and attached 18 AAC 50 Adoption Updates Regs document
  - Revisions to Standard Condition III to clarify that reports can be submitted on-line or by hard copy and to clarify differences between excess emission and emissions deviations.
Title V
18 AAC 50.346
Proposed standard condition language change—see revised Standard Condition and attached 18 AAC 50 Adoption Updates Regs document
Revisions to Standard Condition IV to correct the website address for on-line report submission.

Title V
18 AAC 50.346
Proposed standard condition language change—see revised Standard Condition and attached 18 AAC 50 Adoption Updates Regs document
Revisions to Standard Condition V to clarify standard conditions language for emissions from insignificant sources.

Title V
18 AAC 50.346
Proposed standard condition language change—see revised Standard Condition and attached 18 AAC 50 Adoption Updates Regs document
Revisions to Standard Condition VII to clarify reporting period requirements to ensure continuity across permit transition periods.

Title V
18 AAC 50.346
Proposed new standard condition and submittal form—see new Standard Condition, submittal form, and attached 18 AAC 50 Adoption Updates Regs document
New Standard Condition XV to develop a standard condition for emission inventory reporting and new Standard Condition XVI to provide a standardized reporting form.

Title I
18 AAC 50.502(b)(6)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
Update to definition of Port of Anchorage by cross-reference to definition in 18 AAC 50.990.
Title I
18 AAC 50.502(c)(1)(E), (c)(3)(A)(iv), (c)(3)(B)(iv)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
Clarification that regulation applies only to carbon monoxide nonattainment areas.

Title I
18 AAC 50.508(5) (now 3) and add new subsection (b)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
Clarify ORL language and addition of Title I>Title V interface language. This subsection is being repealed and readopted to address these changes.

Title I
18 AAC 50.540(c)(2)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
Cross-reference clarification.

Title I
18 AAC 50.540(c)(2)(B)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
Add language allowing the Department flexibility in requiring ambient analysis for sulfur dioxide.

Title I
18 AAC 50.540(k)(3)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
Add language to clarify required elements of an application to revise or rescind a Title I permit.

Title I
18 AAC 50.542(a)(1)
Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
To exclude additional areas from fast-track option because the historic data for Anchorage, Fort Wainwright and Eielson indicates that the assumptions used to develop the fast-track thresholds may be invalid for one or more pollutants.
• Title I
• 18 AAC 50.544(a)
• Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
• To clarify that applicants always have the ability to request limits to protect ambient air in their minor permit application.

• Title I
• 18 AAC 50.544(h)(3)
• Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
• To clarify that applicants always have the ability to request limits to protect ambient air in their minor permit application.

• Title I
• 18 AAC 50.990(101)
• Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
• Correct typo in definition

• Title I
• 18 AAC 50.990(121)
• Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
• Update adoption by reference date for revised definition of VOC.

• Title I
• 18 AAC 50.311(b)(1)(C)(i), 400(e), 400(k), 403(7), 410(f), 540(j), 542(d)(1)(D), 542(f)(7), 542(f)(8), 542(f)(9), 544(g), 544(h), 544(i)
• Proposed regulation language change—see attached 18 AAC 50 Adoption Updates Regs document
• Correct cross-references to repealed and readopted 18 AAC 50.508.