

AIR QUALITY CONTROL: NOTICE OF CANCELLATION OF PUBLIC HEARING
ON PROPOSED CHANGES IN THE REGULATIONS OF THE
ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation (ADEC) proposes to change its air quality regulations to update adoption by reference dates of federal air quality regulations used in air quality control permits, clarify additional regulatory language, and repeal regulations no longer needed.

ADEC proposed to adopt regulation changes in Title 18, Chapter 50 of the Alaska Administrative Code, dealing with updated adoptions by reference, clarifying language, and regulation repeals, including the following:

- (1) amend 18 AAC 50.010(4) to adopt the current daily maximum eight-hour standard for ozone.
- (2) repeal 18 AAC 50.010(7) because there are no longer any regulated sources in Alaska.
- (3) amend 18 AAC 50.020 to establish a minor source baseline date for the South Central Alaska Intrastate Air Quality Control region for fine particulate matter (PM-2.5).
- (4) amend 18 AAC 50.035(a)(3) to update the adoption by reference date of the Air Pollutant Emission Factors and provide a link to an Internet site where they can be found.
- (5) amend 18 AAC 50.035(a)(7) to update the adoption by reference of the modeling program user's guide.
- (6) amend 18 AAC 50.040(a) – (k) to update the adoption dates of federal regulations adopted by reference to maintain current, consistent permitting requirements.
- (7) amend 18 AAC 50.040(a) to add new paragraphs to adopt new federal rules by reference to maintain current, consistent permitting requirements.
- (8) repeal 18 AAC 50.055(a)(2) – (3) and (7) – (8); (b)(4) and (6); and (f) because there are no longer any regulated sources in Alaska.
- (9) repeal 18 AAC 50.060 because there are no longer any regulated sources in Alaska.
- (10) amend 18 AAC 50.215(a)(3) to adopt a cross-reference in the monitoring requirements to a previously adopted meteorological monitoring document.
- (11) amend 18 AAC 50.345(o) to change the number of copies of reports required.
- (12) amend 18 AAC 50.346(b) to update the adoption by reference date of revised standard conditions.
- (13) amend 18 AAC 50.410(a) to remove a reference to a repealed statute.
- (14) amend 18 AAC 50.410(c) to ensure emissions are properly calculated.
- (15) amend 18 AAC 50.502(c) to close a permitting loop-hole that allowed emissions increases below prevention of significant deterioration (PSD) level to occur without triggering minor permitting requirements.
- (16) amend 18 AAC 50.542(b)(5) to clarify the timing of fast track permit actions.

- (17) amend 18 AAC 50.542(d)(1) to clarify public notice requirements for alternative modeling approvals.
- (18) amend Standard Condition I to align language to match regulatory language and add language to ensure emissions are properly calculated.
- (19) amend Standard Condition VII to change the number of copies of reports required.
- (20) amend Standard Condition XV to comply with changes made in reporting requirements and for language consistency.
- (21) amend Standard Condition XVI to comply with changes made in reporting requirements.

If adopted, these regulation revisions will be submitted to the U.S. Environmental Protection Agency (EPA) for inclusion in the approved State Implementation Plan (SIP).

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 Rebecca Smith, ADEC Division of Air Quality, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, AK 99811-1800; or by e-mail to rebecca.smith@alaska.gov. Additionally, ADEC will accept comments by facsimile at (907) 465-5129; through the Air Quality Division's electronic comment submission web page at <https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments>; and by electronic mail to the Air Quality Comments Docket at dec.aq.airdocket@alaska.gov. **The comments must be received not later than 5:00 p.m. on March 25, 2016.**

ADEC published a public notice regarding these proposed changes on February 18, 2016. In the public notice, the Department announced that a public hearing for these proposed regulations was tentatively scheduled for March 22, 2016, from 12:00 p.m. to 1:30 p.m. at the Department of Environmental Conservation Building, 619 E. Ship Creek Ave., Ste. 249, Conference Room A, Anchorage, AK 99501. **The Department did not receive a request to hold the public hearing by 5:00 p.m. on Thursday, March 17, 2016, as required in the original public notice. Therefore, the public hearing will not be held.**

You may submit written questions relevant to the proposed action to ADEC using the electronic question form at <http://dec.alaska.gov/air/ap/2016UpdatesQuestionsAndAnswers.htm> or by electronic mail to dec.aq.airdocket@alaska.gov or by sending the questions to Rebecca Smith, ADEC Division of Air Quality, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, AK 99811-1800. The questions must be received at least 10 days before the end of the public comment period; the question deadline is March 15, 2016. ADEC will aggregate its response to substantially similar questions and make the questions and responses available on <http://dec.alaska.gov/air/ap/2016UpdatesQuestionsAndAnswers.htm>.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Natalie Wolfe at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 seven days prior to any open house or a public hearing to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice

System and by contacting Rebecca Smith at rebecca.smith@alaska.gov or (907) 465-5121.

A copy of material proposed for adoption by reference may be viewed at the agency's office at ADEC Division of Air Quality, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, AK 99811-1800 and by contacting Rebecca Smith at rebecca.smith@alaska.gov.

After the public comment period ends, the 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 37.10.050, AS 37.10.052, AS 37.10.058, AS 44.46.025, AS 46.03.020, AS 46.14.140, AS 46.14.240, AS 46.14.250, AS 46.14.255

Statutes being implemented, interpreted, or made specific: AS 44.46.025; AS 46.03.020; AS 46.03.030; AS 46.14.010; AS 46.14.020; AS 46.14.030; AS 46.14.120; AS 46.14.130; AS 46.14.140; AS 46.14.150; AS 46.14.170; AS 46.14.180; AS 46.14.190; AS 46.14.200; AS 46.14.220; AS 46.14.230; AS 46.14.250; AS 46.14.515; Sec 30, ch 74, SLA 1993

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