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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Gary Mendivil, Department of Environmental Conservation  
**FROM:** Scott Meriwether, Office of the Lieutenant Governor - 465.4081   
**DATE:** July 21, 2016  
**RE:** Filed Permanent Regulations: Department of Environmental Conservation

Regulation re: air quality, updated items adopted by reference, updated standard permit conditions, and other matters (18 AAC 50.010(4),(7); 18 AAC 50.020(a); 18 AAC 50.035(a)(3),(7); 18 AAC 50.040; 18 AAC 50.055; 18 AAC 50.060; 18 AAC 50.215(a)(3); 18 AAC 50.345(o); 18 AAC 50.346(b); 18 AAC 50.410(c); 18 AAC 50.502; 18 AAC 50.540(c)(2)(A); 18 AAC 50.542(b)(5),(d)(1)(F))

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Attorney General File:	JU2015200962
Regulation Filed:	July 21, 2016
Effective Date:	August 20, 2016
Print:	219, October 2016

cc with enclosures: Linda Miller, Department of Law  
Dianne Blumer, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The attached eighteen pages of regulations, dealing with updates to adoptions by reference and repeal of outdated air quality regulations are hereby adopted and certified to be a correct copy of the regulation changes that the Department of Environmental Conservation adopts under the authority of AS 46.03 and AS 46.14 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Environmental Conservation paid special attention to the cost to private persons of the regulatory action being taken. The Department of Environmental Conservation also gave special attention to alternate practical methods in this regulatory action, as required by AS 46.03.024.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

DATE: May 18, 2016  
Anchorage, Alaska

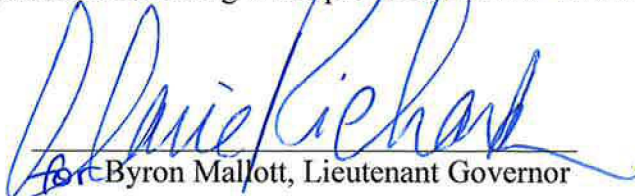


Larry Hartig, Commissioner  
Department of Environmental Conservation

✓ Claire Richardson for

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on July 21, 2016, at 12:15 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
for Byron Mallott, Lieutenant Governor

Effective: August 20, 2016  
Register: 219, October 2016

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, BYRON MALLOTT, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employee to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Claire Richardson, Special Assistant**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on January 7<sup>th</sup> 2015.**



A handwritten signature in dark ink, appearing to read "Byron Mallott", is written over a horizontal dotted line.

**BYRON MALLOTT  
LIEUTENANT GOVERNOR**

18 AAC 50.010(4) is amended to read:

(4) for ozone: a daily maximum eight-hour average of .070 [.075] parts per million, with this standard being attained when the three-year average of the annual fourth-highest daily maximum eight-hour average ozone concentration is less than or equal to .070 [.075] parts per million;



18 AAC 50.010(7) is repealed:

am 3/2/2016,  
Register 217;

(7) repealed 8/20/2016; and

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am 4/1/2010, Register 193; am 9/17/2011, Register 199; am 1/4/2013, Register 205; am 4/17/2015, Register 214; am 8/20/2016, Register 219.)

**Authority:** AS 46.03.020      AS 46.14.030      Sec. 30, ch. 74, SLA 1993

AS 46.14.010

18 AAC 50.020(a) ~~Table 2~~ is amended to read:

(a) In an area designated nonattainment in 18 AAC 50.015(b), the provisions of this section do not apply to the nonattainment air pollutant. However, this section does apply to all other air pollutants listed in Table 2 in this subsection.

Table 2 **Baseline Areas and Dates**

*« move circled text to new line and center; this is how table headings are set out in the printed Alaska Administrative Code »*

Baseline Area	Air Pollutant	Minor Source Baseline Date
Cook Inlet Intrastate Air Quality Control Region	Nitrogen dioxide	February 8, 1988
	Sulfur dioxide	October 12, 1979
	PM-10	March 20, 1982
	PM-2.5	September 14, 2012
Northern Alaska Intrastate Air Quality Control Region	Nitrogen dioxide	February 8, 1988
	Sulfur dioxide	June 1, 1979
	PM-10	November 13, 1978
	PM-2.5	November 2, 2012



South Central Alaska Intrastate Air Quality Control Region	Nitrogen dioxide	February 8, 1988
	Sulfur dioxide	October 26, 1979
	PM-10	October 26, 1979
	PM-2.5	<b><u>October 15, 2015</u></b> [TO BE ESTABLISHED UNDER 40 C.F.R. 52.21(b)(14)(ii), ADOPTED BY REFERENCE IN 18 AAC 50.040(h)]
Southeast Alaska Intra- state Air Quality Control Region	Nitrogen dioxide	February 8, 1988
	Sulfur dioxide	November 10, 1986
	PM-10	To be established under 40 C.F.R. 52.21(b)(14)(ii), adopted by reference in 18 AAC 50.040(h)
	PM-2.5	To be established under 40 C.F.R. 52.21(b)(14)(ii), adopted by reference in 18 AAC 50.040(h)

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am

7/25/2008, Register 187; am 1/4/2013, Register 205; am 4/17/2015, Register 214; am 8/20/2016, Register 219)

**Authority:** AS 46.03.020 AS 46.14.010 AS 46.14.030

18 AAC 50.035(a)(3) is amended to read:

(3) the United States Environmental Protection Agency's (EPA) publication AP-42, *Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources*, Fifth Edition with Supplements A – F and annual updates, as updated through **April 2015** [DECEMBER 2007];



18 AAC 50.035(a)(7) is amended to read:

*(in italics -- so in existing text)* (7) AERSCREEN User's Guide, **EPA-454/B-15-005, dated July 2015** [EPA-454/B-11-011, DATED MARCH 2011] <sup>2</sup>

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 7/2/2000, Register 154; am 2/2/2002, Register 161; am 5/3/2002, Register 162; am 10/1/2004, Register 171; am 12/3/2005, Register 176; am 7/25/2008, Register 187; am 11/9/2008, Register 188; am 4/1/2010, Register 193; am 9/17/2011, Register 199; am 4/8/2012, Register 202; am 9/14/2012, Register 203; am 1/4/2013, Register 205; am 4/17/2015, Register 214; am 8/20/2016, Register 219)

**Authority:** AS 46.03.020 AS 46.14.020 AS 46.14.140  
AS 46.14.010 AS 46.14.030 Sec. 30, ch. 74, SLA 1993

The introductory language of

18 AAC 50.040(a) is amended to read:

**18 AAC 50.040. Federal standards adopted by reference.** (a) The following provisions of 40 C.F.R. Part 60 (Standards of Performance for New Stationary Sources), revised as of **February 1, 2016** [MARCH 19, 2014], are adopted by reference as they apply to a Title V source:

...

18 AAC 50.040(a)(2) is amended by adding new <sup>sub -</sup> paragraphs to read:

**(XX) Subpart TTTT (Standards of Performance for Greenhouse Gas**

**Emissions for Electric Generating Units);**

**(YY) Subpart UUUU (Emission Guidelines for Greenhouse Gas**

**Emissions and Compliance Times for Electric Utility Generating Units);**

The introductory language of

18 AAC 50.040(b) is amended to read:

(b) The following provisions of 40 C.F.R. Part 61 (National Emission Standards for Hazardous Air Pollutants), revised as of **July 1, 2015** [FEBRUARY 27, 2014], are adopted by reference as they apply to a Title V source:

...

The introductory language of

18 AAC 50.040(c) is amended to read:

(c) The following provisions of 40 C.F.R. Part 63 (National Emission Standards for Hazardous Air Pollutants), revised as of **February 1, 2016** [FEBRUARY 27, 2014], are adopted



by reference as they apply to a Title V source:

...

18 AAC 50.040(d) is amended to read:

(d) The provisions of 40 C.F.R. Part 82, revised as of **January 1, 2016** [JULY 22, 2013], are adopted by reference to the extent that they apply to a Title V source.



18 AAC 50.040(e) is amended to read:

(e) The requirements of 40 C.F.R. 52.70 - 40 C.F.R. 52.98, revised as of **July 1, 2015** [JULY 1, 2014], as they apply to a Title V source and for purposes of a Title V permit, are adopted by reference.



18 AAC 50.040(f) is amended to read:

(f) The provisions of 40 C.F.R. Part 51, Appendix W (Guideline on Air Quality Models), revised as of **July 1, 2015** [JULY 1, 2013], are adopted by reference.



The introductory language of

18 AAC 50.040(g) is amended to read:

(g) The following provisions of 40 C.F.R. Part 62 (Approval and Promulgation of State Plans for Designated Facilities and Pollutants), revised as of **July 1, 2015** [SEPTEMBER 6, 2013], are adopted by reference as they apply to a Title V source:

...

18 AAC 50.040(g)(3) is amended to read:

(3) Subpart HHH (Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before **December 1, 2008** [JUNE 20, 1996]);



The introductory language of  
18 AAC 50.040(h) is amended to read:

(h) The following provisions of 40 C.F.R. 51.166 (Prevention of Significant Deterioration of Air Quality) and 40 C.F.R. Part 52 (Approval and Promulgation of Implementation Plans), revised as of **December 28, 2015** [DECEMBER 9, 2013], are adopted by reference:

...

The introductory language of  
18 AAC 50.040(i) is amended to read:

(i) From the following provisions of 40 C.F.R. 51.165 (Permit Requirements), revised as of **July 1, 2015** [JULY 1, 2013], text setting out provisions that a state implementation plan shall or may contain is adopted by reference as follows:

...

The introductory language of  
18 AAC 50.040(j) is amended to read:

(j) The following provisions of 40 C.F.R. Part 71 (Operating Permits), revised as of **July 1, 2015** [JULY 1, 2013], are adopted by reference as they apply to a Title V source, except as

provided in 18 AAC 50.326:

...

18 AAC 50.040(k) is amended to read:

(k) The provisions of 40 C.F.R. Part 64, revised as of July 1, 2015 [JULY 1, 2013], are adopted by reference to the extent that they apply to a Title V source.

(Eff. 1/18/97, Register 141; am 6/14/98, Register 146; am 6/21/98, Register 146; am 7/2/2000, Register 154; am 6/1/2002, Register 162; am 8/15/2002, Register 163; am 10/1/2004, Register 171; am 12/3/2005, Register 176; am 7/25/2008, Register 187; am 12/9/2010, Register 196; am 9/14/2012, Register 203; am 1/4/2013, Register 205; am 10/6/2013, Register 208; am 11/9/2014, Register 212; am 4/17/2015, Register 214; am 8/20/2016, Register 219)

**Authority:** AS 46.03.020      AS 46.14.020      AS 46.14.030  
AS 46.14.010

18 AAC 50.055(a)(2) <sup>is</sup> and (3) are repealed:

18 AAC 50.055(a)(3) <sup>is</sup> repealed 8/20/2016;  
(2) repealed 8/20/2016;  
(3) repealed 8/20/2016;

18 AAC 50.055(a)(7) <sup>is</sup> and (8) are repealed:

(7) repealed 8/20/2016;  
18 AAC 50.055(a)(8) is repealed;  
(8) repealed 8/20/2016; and

18 AAC 50.055(b)(1) is amended to read:  
(1) 0.05 grains, except as provided  
in (2) - (5) of this subsection and (d)  
and (e) of this section [(2) - (6) OF THIS  
SUBSECTION, (d) - (f) OF THIS SECTION,  
AND 18 AAC 50.060];

18 AAC 50.055(b)(4) is repealed:

(4) repealed 8/20/2016; <sup>or</sup>

“Publisher: Please delete the  
“or” connector that follows  
18 AAC 50.055(b)(5).”

18 AAC 50.055(b)(6) is repealed:

(6) repealed 8/20/2016.

18 AAC 50.055(c) is amended to read:  
(c) Sulfur-compound emissions, expressed as sulfur dioxide, from an industrial process or from fuel-burning equipment may not exceed 500 ppm averaged over a period of three hours, except as provided in (d) and (e) of this section [(d) - (f) OF THIS SECTION AND 18 AAC 50.060].

18 AAC 50.055(f) is repealed:

(f) Repealed 8/20/2016.

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 11/4/99, Register 152; am 5/3/2002, Register 162; am 10/1/2004, Register 171; am 7/25/2008, Register 187; am 12/9/2010, Register 196; am 8/20/2016, Register 219)

**Authority:** AS 46.03.020 AS 46.14.020 Sec. 30, ch. 74, SLA 1993  
AS 46.14.010 AS 46.14.030

18 AAC 50.060 is repealed:

**18 AAC 50.060. Pulp mills. Repealed.**

(Eff. 1/18/97, Register 141; repealed 8/20/2016, Register 219)

18 AAC 50.215(a)(3) is amended to read:

(3) EPA's *Meteorological Monitoring Guidance for Regulatory Modeling*

*Applications*, adopted by reference in 18 AAC 50.035(a), **EPA's Quality Assurance Handbook**





for Air Pollutant Measurement Systems; Volume IV; Meteorological Measurements Version

2.0, adopted by reference in 18 AAC 50.035(a), and the department's *Quality Assurance*

*Project Plan for the State of Alaska Air Monitoring & Quality Assurance Program*, adopted by

reference in 18 AAC 50.030, for meteorological data; or

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 10/1/2004, Register 171; am

7/25/2008, Register 187; am 4/1/2010, Register 193; am 10/29/2010, Register 196; am

9/17/2011, Register 199; am 9/14/2012, Register 203; am 1/4/2013, Register 205; am 4/17/2015,

Register 214; am 8/20/2016, Register 219)

**Authority:** AS 46.03.020 AS 46.14.140 Sec. 30, ch. 74, SLA 1993

AS 46.14.030 AS 46.14.180

18 AAC 50.345(o) is amended to read:

(o) Within 60 days after completing a source test, the permittee shall submit **one certified copy** [TWO COPIES] of the results in the format set out in the *Source Test Report Outline*, adopted by reference in 18 AAC 50.030. The permittee shall certify the results in the manner set out in (j) of this section. If requested in writing by the department, the permittee must provide preliminary results in a shorter period of time specified by the department.

(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 5/3/2002, Register 162; am 10/1/2004, Register 171; am 11/9/2008; am 9/14/2012, Register 203; am 8/20/2016 Register 219)

**Authority:** AS 46.03.020 AS 46.14.120 AS 46.14.140

AS 46.14.010 AS 46.14.130 AS 46.14.180

AS 46.14.020



18 AAC 50.346(b) is amended to read:

(b) In a Title V permit, the department will use the standard permit conditions listed in this subsection, unless the department determines that emission unit-specific or stationary source-specific conditions more adequately meet the requirements of this chapter or that no comparable condition is appropriate for the Title V source or emission unit. The following standard permit conditions prepared by the department are adopted by reference:

← (1) Standard Permit Condition I – Emission Fees, as revised as of May 4, 2016 [SEPTEMBER 27, 2010];

← (2) Standard Permit Condition III – Excess Emissions and Permit Deviation Reports, as revised as of September 27, 2010;

← (3) Standard Permit Condition IV – Notification Form, as revised as of September 27, 2010;

← (4) Standard Operating Permit Condition V – Insignificant Sources, as revised as of September 27, 2010;

← (5) Standard Operating Permit Condition VI – Good Air Pollution Control Practices, as revised as of August 25, 2004;

← (6) Standard Operating Permit Condition VII – Operating Reports, as revised as of May 4, 2016 [SEPTEMBER 27, 2010].

← (7) Standard Operating Permit Conditions XIV – Document Submittals and Electronic Copies, as revised as of August 20, 2008;

← (8) Standard Operating Permit Condition XV – Emission Inventory Reporting, as revised as of May 4, 2016 [SEPTEMBER 27, 2010];

← (9) Standard Operating Permit Condition XVI – Emission Inventory

13

Reporting Form, as revised as of May 4, 2016 [SEPTEMBER 27, 2010].

(Eff. 5/3/2002, Register 162; am 10/1/2004, Register 171; am 11/9/2008, Register 188;  
am 12/9/2010, Register 196; am 8/20/2016, Register 219)

**Authority:** AS 46.03.020 AS 46.14.120 AS 46.14.180  
AS 46.14.010 AS 46.14.130 AS 46.14.250  
AS 46.14.020 AS 46.14.140

~~18 AAC 50.410(a) is amended to read:~~ *(( Publisher: Existing 18 AAC 50.410(a) is unchanged-- the text displayed for deletion in this draft was already removed in 2010. ))*

~~18 AAC 50.410. Emission fees. (a) For each period from July 1 through the following June 30, the permittee, owner, or operator shall pay to the department an annual emission fee based on the stationary source's assessable emissions for that year for each stationary source that is subject to a permit under this chapter. The emissions fee is assessed per ton for each air pollutant for which projected emissions are 10 tons per year or greater[, EXCEPT AS LIMITED UNDER AS 46.14.250(e)].~~

18 AAC 50.410(c) is amended to read:

(c) The quantity of emissions for which fees will be assessed is the lesser of the stationary source's

- (1) potential to emit; or
- (2) projected annual rate of emissions, as that term is used in AS 46.14.250,

when [IF] demonstrated by credible evidence of actual emissions based upon the most representative information available among *from one or more of the following:*

18 AAC 50.502(c)(3)(A)(i)  
is amended to read:  
(i) 10 TPY  
of [OR] PM-10;

- (A) an enforceable test method described in 18 AAC 50.220;
- (B) material balance calculations;
- (C) emission factors from EPA's *Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources*, adopted by reference in 18 AAC 50.035; [OR]
- (D) other methods and calculations approved by the department,

including appropriate vendor-provided emissions factors when sufficient documentation is provided.

(Eff. 1/18/97, Register 141; am 5/3/2002, Register 162; am 10/16/2003, Register 168; am 10/1/2004, Register 171; am 1/29/2005, Register 173; am 12/3/2005, Register 176; am 12/14/2006, Register 180; am 6/18/2009, Register 190; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; am 9/26/2015, Register 215; am 8/20/2016, Register 219)

**Authority:** AS 44.46.025 AS 46.14.140 AS 46.14.250

AS 46.03.020

Publisher: To reflect the addition of new 18 AAC 50.502(c)(4), please change the period at the end of 18 AAC 50.502(c)(3)(B)(v) to a semicolon, and move the "or" connector from the end of 18 AAC 50.502(c)(2)(B) to the end of 18 AAC 50(c)(3)(B)(v). )))

18 AAC 50.502(c) is amended by adding a new paragraph to read;

~~(v) 10 TPY of direct PM-2.5 emissions;~~

**(4) beginning a physical change to or a change in the method of operation of**

**an existing stationary source with a potential to emit an air pollutant that is less than or equal to an amount listed in (1) of this subsection that will cause for that pollutant an emissions increase calculated at the discretion of the owner or operator as either an increase in**

(A) <sup>the</sup> potential to emit that is greater than

(i) 15 TPY of PM-10



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necessary»

(ii) 40 TPY of sulfur dioxide;

(iii) 40 TPY of nitrogen oxides;

(iv) 100 TPY of carbon monoxide for a stationary source

within 10 kilometers of a carbon monoxide nonattainment area; or

(v) 10 TPY of direct PM-2.5 emissions; or

(B) actual emissions and a net emissions increase greater than

(i) 15 TPY of PM-10

(ii) 40 TPY of sulfur dioxide;

(iii) 40 TPY of nitrogen oxides;

(iv) 100 TPY of carbon monoxide for a stationary source

within 10 kilometers of a carbon monoxide nonattainment area; or

(v) 10 TPY of direct PM-2.5 emissions.

The introductory language of

18 AAC 50.502(e) is amended to read:

(e) For the purposes of (c)(3)(B) and ~~(e)~~(4)(B) of this section, actual emissions shall be calculated by comparing projected actual emissions to the baseline actual emissions. In determining the projected actual emissions, before beginning actual construction, the owner or operator of the stationary source shall

...

introductory

The ~~lead in~~ language of 18 AAC 50.502(f) is amended to read:

(f) If the owner or operator elects to base permit applicability for a modification on a calculation of actual emissions, if the project does not need a minor permit based on that calculation, and if a reasonable possibility exists that the project may result in an emissions increase greater than the thresholds in (c)(3) or ~~(c)(4)~~, as applicable of this section, the owner or operator shall comply with the following:

...

18 AAC 50.502(f)(1)(C) is amended to read:

(C) a description of the applicability test used to determine that the project is not a modification subject to (c)(3) or ~~(c)(4)~~, as applicable of this section for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under (c)(3) of this section, an explanation for why that amount was excluded, and any netting calculations, if applicable;



The introductory language of

18 AAC 50.502(f)(5) is amended to read:

(5) if the emissions unit is an existing unit other than an electric utility steam generating unit, the owner or operator shall submit a report to the department if the annual emissions, in tons per year, from the project identified in (1) of this subsection, exceed the baseline actual emissions, as documented and maintained under (1)(C) of this subsection, by an amount exceeding the thresholds in (c)(3) or ~~(c)(4)~~, as applicable of this section for that regulated NSR pollutant, and if those emissions differ from the reconstruction projection as



documented and maintained under (1)(C) of this subsection; the report shall be submitted to the department within 60 days after the end of that year; the report must contain the following:

...

18 AAC 50.502(g) is amended to read:

(g) An increase in emissions under (c)(3) or (e)(4) of this section does not require a permit under that paragraph if a plantwide applicability limitation (PAL) is established for the stationary source under 40 C.F.R. 52.21(aa), adopted by reference in 18 AAC 50.040.



18 AAC 50.502(h)(3)(A) is amended to read:

(A) any increase in emissions of an air pollutant at a stationary source <sup>2</sup>  
[WITH EXISTING EMISSIONS OF THAT AIR POLLUTANT GREATER THAN THE  
AMOUNTS LISTED IN (C)(1) OF THIS SECTION] <sup>lowercase</sup> notwithstanding 40 C.F.R.  
52.21(a)(2)(iv), as reference <sup>cd</sup> in 40 C.F.R. 52.21(b)(3)(i)(a), “net emissions increase” is  
not restricted to a significant emissions increase or significant net emissions increase  
within the meaning of 40 C.F.R. 52.21(b)(3), (23), and (40), or to a major stationary  
source; and



18 AAC 50.502(h)(3)(B) is amended to read:

(B) the calculation of whether a modification requires a minor permit  
under (c)(3) or (e)(4) of this section, rather than whether the modification is a major  
modification;

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am 12/3/2005, Register 176; am 7/25/2008, Register 187; am 12/9/2010, Register 196; am 1/4/2013, Register 205; am 11/9/2014, Register 212; am 8/20/2016, Register 219)

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	

18 AAC 50.540(c)(2)(A) is amended to read:

(A) each air pollutant for which a permit is required under

18 AAC 50.502(c)(1), [or] (3), or (4);

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am 12/3/2005, Register 176; am

7/25/2008, Register 187; am 12/9/2010, Register 196; ~~am 12/9/2010, Register 196~~; am

9/14/2012, Register 203; am 1/4/2013, Register 205; am 8/20/2016, Register 219)

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	

18 AAC 50.542(b)(5) is amended to read:

*all lowercase*

(5) [IF THE APPROVAL CRITERIA OF (F) OF THIS SECTION ARE MET,]

the department will issue its [THE] permit determination in accordance with the approval criteria of (f) of this section within 30 days after receiving a complete [THE] application.



18 AAC 50.542(d)(1) is amended by adding a new subparagraph to read:

*21 Publisher:* 2 ~~(E) the department will make a preliminary decision to approve the~~  
*Existing*  
 18 AAC 50.542(d)(1)(E)  
*is unchanged;*  
*to reflect the*  
*addition of*  
 18 AAC 50.542(d)(1)(F),  
*relocate the*  
*"and" connector*  
*from the end of 18 AAC 50.542(d)(1)(D) to the end of 18 AAC 50.542(d)(1)(E). ))*  
 (E) the department will make a preliminary decision to approve the application only if the application includes all information required by 18 AAC 50.540, and the department finds that the approval criteria of (f) of this section will be met; the department will include in a preliminary permit any conditions necessary to assure compliance with this chapter; and  
(F) the department will request public comment on any alternative modeling approvals issued under 18 AAC 50.215(c)(2); this public comment period will coincide with the public comment period for the draft permit, to the extent practicable;

*11 Boldface and underlining not necessary*

(Eff. 10/1/2004, Register 171; am 12/1/2004, Register 172; am 7/25/2008, Register 187; am 12/9/2010, Register 196; am 1/4/2013, Register 205; am 8/20/2016, Register 219)

<b>Authority:</b>	AS 46.03.020	AS 46.14.120	AS 46.14.170
	AS 46.14.010	AS 46.14.130	AS 46.14.180
	AS 46.14.020	AS 46.14.140	AS 46.14.200