

NOTICE OF PUBLIC COMMENT PERIOD ON PROPOSED CHANGES TO ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS

The Department of Environmental Conservation (DEC), proposes to adopt regulation changes in Title 18, Chapter 50 of the Alaska Administrative Code dealing with Air Quality Control, including the following:

- update adoption by reference dates of federal rules adopted in 18 AAC 50.035, 18 AAC 50.040, and 18 AAC 50.990.
- update adoption by reference of revised Standard Conditions for air permits in 18 AAC 50.346.
- add a new Standard Condition for air permits and associated form in 18 AAC 50.346.
- update the air quality nonattainment designations in 18 AAC 50.015.
- adopt clarifications to existing regulations to fix typos, to correct cross-references, and resolve internal regulation conflicts in 18 AAC 50.302, 18 AAC 50.311, 18 AAC 50.400, 18 AAC 50.403, 18 AAC 50.410, 18 AAC 50.502, 18 AAC 50.540, 18 AAC 50.542, 18 AAC 50.544, 18 AAC 50.508, and 18 AAC 50.990.
- make additional changes necessary to clarify the regulations in 18 AAC 50.055, 18 AAC 50.215, 18 AAC 50.306, 18 AAC 50.502, 18 AAC 50.540, 18 AAC 50.542, and 18 AAC 50.544.

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, Environmental Program Specialist, Air Permit Program, Alaska Department of Environmental Conservation, 410 Willoughby Avenue Suite 303, P.O. Box 111800, Juneau, AK 99811-1800, by facsimile at: (907) 465-5129, or by e-mail to the Air Quality Comments Docket at dec.aq.airdocket@alaska.gov. Comments must be received by **5:00 p.m., on August 3, 2010**. Comments received after this date will not be considered in final action on these rules.

Oral or written comments also may be submitted at a hearing to be held on July 29, 2010, at the DEC Building, First Floor Main Conference Room, 555 Cordova Street, Anchorage, Alaska. The hearing will be held from 10:00 – 11:30 am and might be extended to accommodate those present before 11:00 am who did not have an opportunity to comment. There will be a call-in number if you are not able to attend the meeting in person. The call-in number will be 1-800-315-6338, and the Meet Me Code will be 8123#.

If you are a person with a disability who needs a special accommodation in order to participate in this public process, please contact Deborah Pock at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 no later than 20 days after publication of this notice to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Rebecca Smith, Air Permit Program, Alaska Department of Environmental Conservation, 410 Willoughby Ave., Suite 303, P.O. Box 111800, Juneau, AK 99811-1800; by phone at (907) 465-5121; by facsimile at (907) 465-5129; or go to <http://www.dec.state.ak.us/air/ap/regulati.htm>. The proposed regulations and a

Department Explanation of the Proposed Changes document are available from the DEC Air Quality web site at <http://dec.alaska.gov/air/ap/calendar.htm> and at <http://dec.alaska.gov/air/ap/regulati.htm>


After the public comment period ends on August 3, 2010, DEC will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **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 44.03.710, AS 46.14.010, AS 46.14.020, AS 46.14.030

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.14

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

Dated: June 25, 2010
Anchorage, Alaska


Larry Hartig, Commissioner

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation
2. General subject of regulation: ADOPTION BY REFERENCE UPDATES, CORRECT, AND CLARIFY REGULATIONS.
3. Citation of regulation (may be grouped): 18 AAC 50
4. Reason for the proposed action:
 - (x) compliance with federal law
 - () compliance with new or changed state statute
 - () compliance with federal court order
 - () development of program standards
 - () other:
5. Program category and BRU affected: Air Permits Program, Air Quality
6. Cost of implementation to the state agency and available funding (in thousands of dollars)

	Initial Year FY 2011	Subsequent Years
Cost	\$ 0___	\$ 0___
General fund	\$ 0___	\$ 0___
Federal funds	\$ 0___	\$ 0___
Other funds (specify)	\$ 0___	\$ 0___

7. The name of the contact person for the regulations:

Name Tom Turner
Title Environmental Program Manager
Address 619 E. Ship Creek, Suite 249
Anchorage Alaska 99501
Telephone (907) 269-8123
E-mail address tom.turner@alaska.gov

8. The origin of the proposed action:

☒ staff of state agency
☒ federal government
☐ general public
☐ petition for regulation change
☐ other (please list)

9. Date: June 25, 2010

Prepared by: _____

Name: Rebecca Tyson Smith
Title: Environmental Program Specialist
Telephone: (907) 465-5121