

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Gary Mendivil
Department of Environmental Conservation

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: November 25, 2020

RE: Filed Permanent Regulations: Department of Environmental Conservation

Department of Environmental Conservation air quality regulations re: adoption by reference of "5-percent" serious state implementation plan (Serious SIP) for PM-2.5 emission reductions in the Fairbanks Non-Attainment Area (18 AAC 50.030(a))

Attorney General File:	2020200458
Regulation Filed:	11/25/2020
Effective Date:	12/25/2020
Print:	236, January 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO
REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The attached one page of regulations, dealing with Fine Particulate Matter (PM_{2.5}) and amendments to the State Implementation Plan (SIP) 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: November 18, 2020
Anchorage, Alaska

Jason W. Brune
Digitally signed by Jason W. Brune
Date: 2020.11.18 16:37:11 -0900

Jason W. Brune, Commissioner
Department of Environmental Conservation

April Simpson for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 25, 2020, at 11:45 p.m. I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

Kevin Meyer

Kevin Meyer, Lieutenant Governor

Effective:

December 25, 2020 *for*

Register:

23rd January 2021

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

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

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", is written over a horizontal dotted line.

**KEVIN MEYER
LIEUTENANT GOVERNOR**

The introductory language of 18 AAC 50.030(a) is amended to read:

(a) Volumes II and III of the *State Air Quality Control Plan* for implementing and enforcing the provisions of AS 46.14 and this chapter, revised as of November 18, 2020 ~~{adoption date of the~~ ~~regulations}~~ ^g [JULY 22, 2020], are adopted by reference. The plan includes the following documents that are also adopted by reference:

• • •
(Eff. 1/18/97, Register 141; am 6/21/98, Register 146; am 9/4/98, Register 147; am 1/1/2000, Register 152; am 12/30/2000, Register 156; am 9/21/2001, Register 159; am 1/27/2002, Register 161; am 3/27/2002, Register 161; am 5/3/2002, Register 162; am 2/20/2004, Register 169; am 6/24/2004, Register 170; am 10/1/2004, Register 171; am 12/14/2006, Register 180; am 12/30/2007, Register 184; am 5/17/2008, Register 186; am 7/25/2008, Register 187; am 11/9/2008, Register 188; am 5/6/2009, Register 190; am 11/4/2009, Register 192; am 4/1/2010, Register 193; am 10/29/2010, Register 196; am 4/13/2011, Register 198; am 9/17/2011, Register 199; am 8/1/2012, Register 203; am 5/8/2013, Register 206; am 2/5/2015, Register 213; am 4/17/2015, Register 214; am 3/2/2016, Register 217; am 11/26/2016, Register 220; am 12/29/2016, Register 220; am 1/12/2018, Register 225; am 9/15/2018, Register 227; am 1/8/2020, Register 233; am 11/7/2020, Register 236; add'l am 11/7/2020, Register 236; am 12/25/2020, Register 236)

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


MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: November 24, 2020

File No.: 2020200458

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Tel. No.: 465-3600

From: Steven C. Weaver *SCW*
Senior Assistant Attorney General
Legislation and Regulations Section

Re: Department of Environmental
Conservation air quality regulations
re: adoption by reference of "5-
percent" serious state implementation
plan (Serious SIP) for PM-2.5
emission reductions in the Fairbanks
Non-Attainment Area (18 AAC
50.030(a))

The Department of Law has reviewed the attached regulations of the Department of Environmental Conservation against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Environmental Conservation after the close of the public comment period. The regulations update the adoption by reference of the *State Air Quality Control Plan* to reflect changes, required by federal law, to the Fairbanks serious state implementation plan (Fairbanks Serious SIP): in particular, the "five-percent rule" to reduce emissions of fine particulates--known as PM-2.5, and found in smoke from wood or other solid fuels used to heat residences--in the Fairbanks Nonattainment Area.

The agency requests that these regulations be filed as soon as possible, and in time to be in effect by December 31, 2020.

The September 13, 2020 public notice, the October 5, 2020 supplemental public notice, and the November 18, 2020 adoption order all state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made a technical correction to conform the regulations in accordance with AS 44.62.125. The correction is shown on the attached copy of the regulations.

SCW

cc w/enc: Hon. Jason W. Brune, Commissioner
Department of Environmental Conservation

Gary Mendivil, Regulations Contact
Department of Environmental Conservation

Alice Edwards, Director
Division of Air Quality
Department of Environmental Conservation

Cindy Heil, Program Manager
Division of Air Quality
Department of Environmental Conservation

Rebecca Tyson Smith, Regulations Specialist
Division of Air Quality
Department of Environmental Conservation

Nathan Haynes, Assistant Attorney General
Environmental Section

MEMORANDUM

State of Alaska

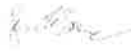
Department of Environmental Conservation
Office of the Commissioner

TO: Kevin Meyer
Lieutenant Governor

DATE: November 18, 2020

FILE NO: 2020200458

PHONE NO: 465-5066

FROM: Jason W. Brune 
Commissioner

SUBJECT: 18 AAC 50 Amendments – State Air
Quality Control Plan

I have signed the adoption order for the above referenced changes to the Air Quality regulations dealing with the adoption by reference of the *State Air Quality Control Plan* to include the Fairbanks North Star Borough fine particulate matter (PM2.5) air quality plan as required by federal law.

The primary change to the Air Quality regulations is an update to the *State Air Quality Control Plan* to incorporate amendments to address the latest EPA requirements for the Fairbanks North Star Borough fine particulate matter nonattainment area. The amendments are primarily technical but include one new contingency measure that would be implemented in the future if the area fails to meet a federal planning milestone. The department provided a 49-day period for the public to review the proposal and submit comments. Opportunities to submit written comments included submitting electronic comments using the Air Quality Division's online comment form, submitting electronic comments via email, submitting written comments via facsimile, and submitting written comments via email.

Because of restrictions on public gatherings, the department also provided an opportunity for individuals to provide oral comments at a "virtual" public hearing telephonically using the Alaska Legislature's Legislative Information Office hearing system on the evening of October 15, 2020.

Significant comments were received on the proposed regulation package and the *State Air Quality Control Plan*. Many of the comments were general in nature or were focused on aspects of the existing control plan implementation that were not specifically the subject of the amendments being made in this package. After reviewing the public comments adjustments were made to the regulations and plan where substantive new information was made available and where changes could be made and still meet the Clean Air Act and federal regulations. Most of the regulations and air quality control plan remain the same as released initially for the public comment period. Technical and clarifying edits were made to the *State Air Quality Control Plan* to address a number of comments received by the Environmental Protection Agency and public, which included incorporating clarifications to ensure a complete plan submission and provide further justification such as updated emission estimations and modeling graphs.

Please let me know if you have any questions or require additional information. In addition, your staff may contact Alice Edwards, Air Quality Division Director at (907) 465-5109 or at Alice.Edwards@alaska.gov.

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

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations on air quality and the Serious State Implementation Plan (SIP) for the Fairbanks North Star Borough (FNSB) nonattainment area. The proposed technical amendments are needed to demonstrate that the SIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt a regulation change in Title 18, Chapter 50 the Alaska Administrative Code, dealing with air quality and the Fairbanks North Star Borough (FNSB) nonattainment area, including the following:

18 AAC 50.030 is proposed to be amended to adopt revisions to the *State Air Quality Control Plan*. Those revisions include:

- a. revisions in Volume II, Section III.D.7: Fairbanks North Star Borough (FNSB) Fine Particulate Matter (PM_{2.5}) Serious State Implementation Plan (SIP):
 - i. amending Section III.D.7.4: Ambient Air Quality Data and Trends, by adding subsection III.D.7.4.6.
 - ii. amending Section III.D.7.5: PM_{2.5} Network & Monitoring Program, by adding subsection III.D.7.5.1.
 - iii. amending Section III.D.7.6: Emission Inventory, by amending subsection III.D.7.6.1.1, and adding subsection III.D.7.6.6.
 - iv. amending Section III.D.7.7: Control Strategies, by adding subsection III.D.7.7.12.
 - v. amending Section III.D.7.8: Modeling, by adding subsection III.D.7.8.14.
 - vi. repealing and readopting Section III.D.7.9: Attainment Demonstration – 2024.
 - vii. repealing and readopting Section III.D.7.10: Reasonable Further Progress and Quantitative Milestones.
 - viii. amending Section III.D.7.11: Contingency Measures, amending subsection III.D.7.11.1, by adding and renumbering subsections III.D.7.11.2, and III.D.7.11.3.
 - ix. amending Section III.D.7.12: Emergency Episode Plan, by amending subsection III.D.7.12.2, and Tables 7.12-1, 7.12-5, 7.12-6.
 - x. repealing and readopting Section III.7.14: Conformity and Motor Vehicle Emission Budget.
- 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.

- c. amending Volume III Appendix to Volume II, Section III.D.7 to incorporate supporting documentation for proposed amended sections of the FNSB PM2.5 SIP listed above.

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

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 Rebecca Smith at 907-465-5121 or rebecca.smith@alaska.gov

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 Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800.; or by facsimile at (907) 465-5129; or by e-mail to 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 11:59 p.m. on Thursday, October 29, 2020.** Comments received after this date will not be considered in final action on these rules and the air quality plan.

Hearings

The Department will also hold a public hearing on this proposal via teleconference. You may provide oral comments relevant to the proposed action **via telephone** at the hearing scheduled to be held on **Thursday, October 15, 2020, from 6:00 p.m. – 7:30 p.m.; by calling the Legislative Information Office (LIO) at 844-586-9085.**

Due to public health and safety concerns associated with the COVID–19 pandemic, there will not be in-person attendance provided at the hearing site, so please prepare to share your oral comments by telephone only. Callers should be on the line **before** the hearing begins at 6:00 p.m. if they would like to provide oral testimony so that we can document contact information for the record and determine the order of testimony. Prior to the start of the hearing, ADEC may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided. The hearing may be extended for a reasonable amount of time to accommodate those present before 7:30 p.m. who did not have an opportunity to comment prior to that time.

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; or by mail to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800. Questions may also be submitted verbally in testimony at the public hearing. 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, **Monday, October 19, 2020**. The Department may, but is not required to, answer written questions received after Monday, October 19, 2020, the cut-off date.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Kate Orozco at (907) 465-6171 or kate.orozco@alaska.gov not later than Thursday, October 8, 2020, to ensure that any necessary accommodations can be provided.

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 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

Statutes being implemented, interpreted, or made specific: AS 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

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: September 10, 2020



Jason W. Brune, Commissioner

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation
2. General subject of regulation: 18 AAC 50 is being amended to adopt regulations regarding the Air Quality Control Plan for the Fairbanks North Star Borough Fine Particulate Matter (PM-2.5) Nonattainment Area.
3. Citation of regulation (may be grouped): 18 AAC 50.030
4. Department of Law file number, if any: 2020200458
5. Reason for the proposed action:
 - (X) Compliance with federal law or action: The proposed regulations are intended to meet the requirements of Section 110 (Title 42 U.S.C. Chapter 85 §7410), Sections 171-179 (Title 42, U.S.C. Chapter 85 §7501-7509), and Section 189 (Title 42 U.S.C. Chapter 85 §7513) of the Clean Air Act and, once adopted, will be submitted to the U.S. Environmental Protection Agency for approval.
 - () Compliance with new or changed state statute
 - () Compliance with federal or state court decision
 - () Development of program standards
 - () Other
6. Appropriation/Allocation: Air Quality/Non-Point and Mobile Sources
7. Estimated annual cost to comply with the proposed action to:

The Alaska Department of Environmental Conservation (ADEC), Air Quality Division in this *Air Quality Control Plan* update, proposes a number of technical updates to meet federal requirements as well as the addition of one new contingency measure for the Fairbanks North Star Borough fine particulate matter nonattainment area. The contingency measure, if triggered in the future, would reduce the threshold for calling curtailments of solid fuel heating during winter periods of poor air quality in the nonattainment area. If the measure is triggered in the future, there would be increased costs for compliance for private persons if the number of solid fuel heating curtailment days increase. However, the exact costs are difficult to project and highly uncertain because (as a result of implementing a suite of measures already included in the existing plan) there is a decreasing trend of PM-2.5 concentrations in the area and, should this trend result in continued air quality improvement, the frequency of episodic curtailments may also decrease in future years thus reducing projected cost impacts. If the measure is

not triggered, there are no identified additional compliance costs for private persons, state agencies, or local governments.

It should be noted that there is a direct cost to the state if it does not take action to meet the federal planning requirements and the Environmental Protection Agency issues a finding of failure to plan or implement the plan. This cost is estimated to be between \$91-\$197 million dollars in sanctioned federal highway funds and costs associated with a Federal Implementation Plan.

A private person: If the proposed contingency measure in the plan is triggered, residents and businesses that rely on wood or coal heat may see an increase in cost for fuel oil or natural gas used for space heating in lieu of wood or coal heat on a potentially increased number of curtailment days. As a result of switching to heating oil/gas rather than wood or coal on curtailment days, the increased cost to a household that is not eligible for a stage waiver is estimated at \$4.90-\$5.65 per curtailment day.

Another state agency: No identified additional compliance costs to other state agencies.

A municipality: No identified additional compliance costs to local governments.

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY21	Subsequent Years
Operating Cost	\$0	\$0
Capital Cost	\$0	\$0
1002 Federal receipts	\$0	\$0
1003 General fund match	\$0	\$0
1004 General fund	\$0	\$0
1005 General fund/ program	\$0	\$0
Other (identify)	\$0	\$0

9. The name of the contact person for the regulation:

Name: Cindy Heil
Title: Program Manager
Address: 555 Cordova
Anchorage AK 99501

Telephone: 907-269-7579

E-mail address: cindy.heil@alaska.gov

10. The origin of the proposed action:

☐ Staff of state agency

☒ Federal government

☐ General public

☐ Petition for regulation change⁷

☐ Other (identify): _____

11. Date: September 10, 2020 Prepared by: _____



Name: Rebecca Tyson Smith

Title: Environmental Program Specialist

Telephone: 907-465-5121

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270259 ST OF AK/DIV AIR QUALITY
PO BOX 111800, JUNEAU, AK 99811

Order #: W0017804

Cost: \$776.92

STATE OF ALASKA THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the afore-said place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

09/13/2020

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed



Subscribed and sworn to before me
this 14th day of September 2020.

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

7/14/2024

NOTARY PUBLIC
JADA L. NOWLING
STATE OF ALASKA
MY COMMISSION EXPIRES JULY 14, 2024

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

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations on air quality and the Serious State Implementation Plan (SSIP) for the Fairbanks North Star Borough (FNSB) nonattainment area. The proposed technical amendments are needed to demonstrate that the SSIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt a regulation change in Title 18, Chapter 50 of the Alaska Administrative Code, dealing with air quality and the Fairbanks North Star Borough (FNSB) nonattainment area, including the following:

18 AAC 50.030 is proposed to be amended to adopt revisions to the State Air Quality Control Plan. These revisions include:

- a. revisions in Volume II, Section II.D.7: Fairbanks North Star Borough (FNSB) Fine Particulate Matter (PM_{2.5}) Serious State Implementation Plan (SSIP).
- i. amending Section II.D.7.A: Ambient Air Quality Data and Trends, by adding subsection II.D.7.A.4.
- ii. amending Section II.D.7.5: PM_{2.5} Network & Monitoring Program, by adding subsection II.D.7.5.1.
- iii. amending Section II.D.7.6: Emission Inventory, by amending subsection II.D.7.6.1.1, and adding subsection II.D.7.6.4.
- iv. amending Section II.D.7.7: Control Strategies, by adding subsection II.D.7.7.12.
- v. amending Section II.D.7.8: Modeling, by adding subsection II.D.7.8.14.
- vi. repealing and redesigning Section II.D.7.9: Attainment Demonstration - 2024.
- vii. repealing and redesigning Section II.D.7.10: Reasonable Further Progress and Quantitative Milestones.
- viii. amending Section II.D.7.11: Contingency Measures, amending subsection II.D.7.11.1, by adding and redesigning subsections II.D.7.11.2 and II.D.7.11.3.
- ix. amending Section II.D.7.12: Emergency Episode Plan, by amending subsection II.D.7.12.2, and Tables 7.12.1, 7.12.3, 7.12.4.
- x. repealing and redesigning Section II.D.14: Contingency and Motor Vehicle Emission Budget.
- b. amending Volume II 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.
- c. amending Volume II Appendix to Volume II, Section II.D.7 to incorporate supporting documentation for proposed amended sections of the FNSB PM_{2.5} SSIP listed above.

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

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 SSIP amendments are available at <http://dec.alaska.gov/air/regions/communities/toks-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, 410 University Avenue, Fairbanks; and ADEC Juneau Office Building, 410 Wilcoffway Ave., Second Floor. To arrange to view the materials, contact Rebecca Smith at 907-465-5121 or rebecca.smith@alaska.gov.

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 Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800, or by facsimile at (907) 465-4174, or by e-mail to dec.air.comments@alaska.gov, or by the electronic comment form at <https://dec.alaska.gov/Applications/Air/airqualitywebform/comments/>. The comments must be received not later than 11:59 p.m. on Thursday, October 29, 2020. Comments received after this date will not be considered in final action on these rules and the air quality plan.

Hearings

The Department will also hold a public hearing on this proposal via teleconference. You may provide oral comments relevant to the proposed action via telephone at the hearing scheduled to be held on Thursday, October 15, 2020, from 4:00 p.m. - 7:30 p.m.; by calling the Legislative Information Office (LIO) at 844-586-9085.

Due to public health and safety concerns associated with the COVID-19 pandemic, there will not be in-person attendance provided at the hearing site, so please prepare to share your oral comments by telephone only. Callers should be on the line before the hearing begins at 4:00 p.m. If they would like to provide oral testimony so that we can document contact information for the record and determine the order of testimony. Prior to the start of the hearing, ADEC may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided. The hearing may be extended for a reasonable amount of time to accommodate those present before 7:30 p.m. who did not have an opportunity to comment prior to that time.

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/regions/communities/toks-pm2-5-proposed-regulations/>, by electronic mail to dec.air.comments@alaska.gov, or by mail to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800. Questions may also be submitted verbally in testimony at the public hearing. The Department will aggregate its responses to substantially similar questions and make the questions and responses available on <http://dec.alaska.gov/regions/communities/toks-pm2-5-questions-answers/>. The questions must be received at least 10 days before the end of the public comment period, Monday, October 19, 2020. The Department may, but is not required to, answer written questions received after Monday, October 19, 2020, the cut-off date.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Kate Orsico at (907) 465-6171 or kate.orsico@alaska.gov not later than Thursday, October 8, 2020, to ensure that any necessary accommodations can be provided.

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 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

Statutes being implemented, interpreted, or made specific: AS 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

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/airqualitywebform/index/>. A myAlaska account is required to use the AOS system.

Date: September 10, 2020
By: Jason W. Burns, Commissioner
Published: September 13, 2020

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Rebecca Tyson Smith, Environmental Program Specialist, of The Department of Environmental Conservation, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 18 AAC 50, Air Quality Control revising regulations on air quality and the Serious State Implementation Plan (SIP) for the Fairbanks North Star Borough (FNSB) nonattainment area to demonstrate that the SIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

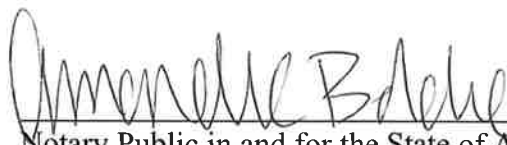
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 23 Oct. 2020

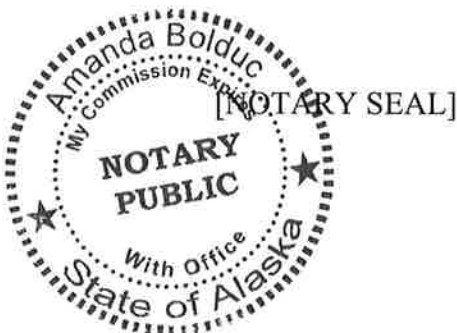


Rebecca Tyson Smith, Environmental Program Specialist

Subscribed and sworn to before me at 410 Willoughby Ave on
Oct 23, 2020
date



Notary Public in and for the State of Alaska



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

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations on air quality and the Serious State Implementation Plan (SIP) for the Fairbanks North Star Borough (FNSB) nonattainment area. The proposed technical amendments are needed to demonstrate that the SIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act. **This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PUBLIC COMMENT PERIOD that was issued on September 13, 2020.** This supplemental notice provides additional call in numbers for the public hearing on October 15, 2020, for callers from Anchorage and Juneau.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt a regulation change in Title 18, Chapter 50 the Alaska Administrative Code, dealing with air quality and the Fairbanks North Star Borough (FNSB) nonattainment area, including the following:

18 AAC 50.030 is proposed to be amended to adopt revisions to the *State Air Quality Control Plan*. Those revisions include:

- a. revisions in Volume II, Section III.D.7: Fairbanks North Star Borough (FNSB) Fine Particulate Matter (PM_{2.5}) Serious State Implementation Plan (SIP):
 - i. amending Section III.D.7.4: Ambient Air Quality Data and Trends, by adding subsection III.D.7.4.6.
 - ii. amending Section III.D.7.5: PM_{2.5} Network & Monitoring Program, by adding subsection III.D.7.5.1.
 - iii. amending Section III.D.7.6: Emission Inventory, by amending subsection III.D.7.6.1.1, and adding subsection III.D.7.6.6.
 - iv. amending Section III.D.7.7: Control Strategies, by adding subsection III.D.7.7.12.
 - v. amending Section III.D.7.8: Modeling, by adding subsection III.D.7.8.14.
 - vi. repealing and readopting Section III.D.7.9: Attainment Demonstration – 2024.
 - vii. repealing and readopting Section III.D.7.10: Reasonable Further Progress and Quantitative Milestones.
 - viii. amending Section III.D.7.11: Contingency Measures, amending subsection III.D.7.11.1, by adding and renumbering subsections III.D.7.11.2, and III.D.7.11.3.
 - ix. amending Section III.D.7.12: Emergency Episode Plan, by amending subsection III.D.7.12.2, and Tables 7.12-1, 7.12-5, 7.12-6.
 - x. repealing and readopting Section III.7.14: Conformity and Motor Vehicle Emission Budget.

- 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.
- c. amending Volume III Appendix to Volume II, Section III.D.7 to incorporate supporting documentation for proposed amended sections of the FNSB PM2.5 SIP listed above.

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

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 Rebecca Smith at 907-465-5121 or rebecca.smith@alaska.gov

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 Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800.; or by facsimile at (907) 465-5129; or by e-mail to 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 11:59 p.m. on Thursday, October 29, 2020.** Comments received after this date will not be considered in final action on these rules and the air quality plan.

Hearings

The Department will also hold a public hearing on this proposal via teleconference. You may provide oral comments relevant to the proposed action **via telephone** at the hearing scheduled to be held on **Thursday, October 15, 2020, from 6:00 p.m. – 7:30 p.m.; by calling the Legislative Information Office (LIO) at 844-586-9085. If you live in Anchorage, call 907-563-9085; if you live in Juneau, call 907-586-9085.**

Due to public health and safety concerns associated with the COVID-19 pandemic, there will not be in-person attendance provided at the hearing site, so please prepare to share your oral comments by telephone only. Callers should be on the line **before** the hearing begins at 6:00 p.m. if they would like to provide oral testimony so that we can document contact information for the record and determine the order of testimony. Prior to the start of the hearing, ADEC may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided. The hearing may be extended for a reasonable amount of time to accommodate those present before 7:30 p.m. who did not have an opportunity to comment prior to that time.

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; or by mail to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800. Questions may also be submitted verbally in testimony at the public hearing. 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, **Monday, October 19, 2020**. The Department may, but is not required to, answer written questions received after Monday, October 19, 2020, the cut-off date.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Garret Odom at (907) 465-3945 or garret.odom@alaska.gov not later than Thursday, October 8, 2020, to ensure that any necessary accommodations can be provided.

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 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

Statutes being implemented, interpreted, or made specific: AS 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

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: October 2, 2020



Jason W. Brune, Commissioner

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation
2. General subject of regulation: 18 AAC 50 is being amended to adopt regulations regarding the Air Quality Control Plan for the Fairbanks North Star Borough Fine Particulate Matter (PM-2.5) Nonattainment Area.
3. Citation of regulation (may be grouped): 18 AAC 50.030
4. Department of Law file number, if any: 2020200458
5. Reason for the proposed action:
 - (X) Compliance with federal law or action: The proposed regulations are intended to meet the requirements of Section 110 (Title 42 U.S.C. Chapter 85 §7410), Sections 171-179 (Title 42, U.S.C. Chapter 85 §7501-7509), and Section 189 (Title 42 U.S.C. Chapter 85 §7513) of the Clean Air Act and, once adopted, will be submitted to the U.S. Environmental Protection Agency for approval.
 - () Compliance with new or changed state statute
 - () Compliance with federal or state court decision
 - () Development of program standards
 - () Other
6. Appropriation/Allocation: Air Quality/Non-Point and Mobile Sources
7. Estimated annual cost to comply with the proposed action to:

The Alaska Department of Environmental Conservation (ADEC), Air Quality Division in this *Air Quality Control Plan* update, proposes a number of technical updates to meet federal requirements as well as the addition of one new contingency measure for the Fairbanks North Star Borough fine particulate matter nonattainment area. The contingency measure, if triggered in the future, would reduce the threshold for calling curtailments of solid fuel heating during winter periods of poor air quality in the nonattainment area. If the measure is triggered in the future, there would be increased costs for compliance for private persons if the number of solid fuel heating curtailment days increase. However, the exact costs are difficult to project and highly uncertain because (as a result of implementing a suite of measures already included in the existing plan) there is a decreasing trend of PM-2.5 concentrations in the area and, should this trend result in continued air quality improvement, the frequency of episodic curtailments may also decrease in future years thus reducing projected cost impacts. If the measure is

not triggered, there are no identified additional compliance costs for private persons, state agencies, or local governments.

It should be noted that there is a direct cost to the state if it does not take action to meet the federal planning requirements and the Environmental Protection Agency issues a finding of failure to plan or implement the plan. This cost is estimated to be between \$91-\$197 million dollars in sanctioned federal highway funds and costs associated with a Federal Implementation Plan.

A private person: If the proposed contingency measure in the plan is triggered, residents and businesses that rely on wood or coal heat may see an increase in cost for fuel oil or natural gas used for space heating in lieu of wood or coal heat on a potentially increased number of curtailment days. As a result of switching to heating oil/gas rather than wood or coal on curtailment days, the increased cost to a household that is not eligible for a stage waiver is estimated at \$4.90-\$5.65 per curtailment day.

Another state agency: No identified additional compliance costs to other state agencies.

A municipality: No identified additional compliance costs to local governments.

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY21	Subsequent Years
Operating Cost	\$0	\$0
Capital Cost	\$0	\$0
1002 Federal receipts	\$0	\$0
1003 General fund match	\$0	\$0
1004 General fund	\$0	\$0
1005 General fund/ program	\$0	\$0
Other (identify)	\$0	\$0

9. The name of the contact person for the regulation:

Name: Cindy Heil
Title: Program Manager
Address: 555 Cordova
Anchorage AK 99501

Telephone: 907-269-7579

E-mail address: cindy.heil@alaska.gov

10. The origin of the proposed action:

☐ Staff of state agency

☒ Federal government

☐ General public

☐ Petition for regulation change⁷

☐ Other (identify): _____

11. Date: October 2, 2020

Prepared by:



Name: Rebecca Tyson Smith

Title: Environmental Program Specialist

Telephone: 907-465-5121

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270259 ST OF AK/DIV AIR QUALITY
PO BOX 111800, JUNEAU, AK 99811

Order #: W0018236

Cost: \$826.72

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the afore-said place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

10/04/2020

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Subscribed and sworn to before me
this 5th day of October 2020.

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES



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

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation (ADEC) proposes to change regulations on air quality and the Serious State Implementation Plan (SSIP) for the Fairbanks North Star Borough (FNSB) nonattainment area. The proposed technical amendments are needed to demonstrate that the SSIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act. This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PUBLIC COMMENT PERIOD that was issued on September 13, 2020. This supplemental notice provides additional call in numbers for the public hearing on October 15, 2020, for callers from Anchorage and Juneau.

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt a regulation change in Title 18, Chapter 50 of the Alaska Administrative Code, dealing with air quality and the Fairbanks North Star Borough (FNSB) nonattainment area, including the following:

18 AAC 50.030 is proposed to be amended to adopt revisions to the State Air Quality Control Plan. Those revisions include:

- a. revisions in Volume II, Section II D.7: Fairbanks North Star Borough (FNSB) Fine Particulate Matter (PM_{2.5}) Serious State Implementation Plan (SSIP);
- i. amending Section II D.7.4: Ambient Air Quality Data and Trends, by adding subsection II D.7.4.4;
- ii. amending Section II D.7.5: PM_{2.5} Network & Monitoring Program, by adding subsection II D.7.5.1;
- iii. amending Section II D.7.6: Emission Inventory, by adding subsection II D.7.6.1, and adding subsection II D.7.6.4;
- iv. amending Section II D.7.7: Control Strategies, by adding subsection II D.7.7.2;
- v. amending Section II D.7.8: Modeling, by adding subsection II D.7.8.14;
- vi. repealing and renumbering Section II D.7.9: Attainment Demonstration - 2034;
- vii. repealing and renumbering Section II D.7.10: Reasonable Further Progress and Quantitative Milestones;
- viii. amending Section II D.7.11: Contingency Measures, amending subsection II D.7.11.1, by adding and renumbering subsections II D.7.11.2, and II D.7.11.3;
- ix. amending Section II D.7.12: Emergency Episode Plan, by amending subsection II D.7.12.2, and tables 2.12.1, 2.12.5, 2.12.6;
- x. repealing and renumbering Section II.14: Conformity and Motor Vehicle Emission Budgets;
- xi. amending Volume II 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;
- xii. amending Volume II Appendix to Volume II, Section II D.7 to incorporate supporting documentation for proposed amended sections of the FNSB PM_{2.5} SSIP listed above.

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

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 SSIP amendments are available at <http://dec.alaska.gov/airquality/comments/files/pmd-5-proposed-regulations/>. Materials not feasible to post, such as those that are copyrighted, may be viewed at the ADEC office at the following locations: ADEC Anchorage Building, 555 Cordova St., Anchorage, ADEC Fairbanks Office Building, 410 University Avenue, Fairbanks, and ADEC Juneau Office Building, 410 Wainwright Ave., Second Floor. To arrange to view the materials, contact Rebecca Smith at 907-465-5121 or rebecca.smith@alaska.gov.

Comments

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with air quality changes, by submitting written comments to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800; or by facsimile at (907) 465-5122; or by email to dec.air.comments@alaska.gov; or by the electronic comment form at <https://dec.alaska.gov/applications/airquality/comments/FormComments>. The comments must be received not later than 11:59 p.m. on the day, October 29, 2020. Comments received after this date will not be considered in final action on these rules and the air quality plan.

Hearings

The Department will also hold a public hearing on this proposal via teleconference. You may provide oral comments relevant to the proposed action via telephone at the hearing scheduled to be held on Thursday, October 15, 2020, from 6:00 p.m. - 7:30 p.m. by calling the telephone information Office (TIO) at 844-545-6981. If you live in Anchorage, call 907-563-9085. If you live in Juneau, call 907-565-9085.

Due to public health and safety concerns associated with the COVID-19 pandemic, there will not be in person attendance provided at the hearing site, so please prepare to share your oral comments by telephone only. Callers should be on the line before the hearing begins at 6:00 p.m. If they would like to provide oral testimony to that we can document contact information for the record and determine the order of testimony. Prior to the start of the hearing, ADEC may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided. The hearing may be extended for a reasonable amount of time to accommodate those present before 7:30 p.m. who did not have an opportunity to comment prior to that time.

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/airquality/comments/files/pmd-5-proposed-regulations/>; by electronic mail to dec.air.comments@alaska.gov; or by mail to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800. Questions may also be submitted verbally in testimony at the public hearing. The Department will aggregate its responses to substantially similar questions and make the questions and responses available on <http://dec.alaska.gov/airquality/comments/files/pmd-5-questions-answers/>. The questions must be received at least 10 days before the end of the public comment period, Monday, October 19, 2020. The Department may, but is not required to, answer written questions received after Monday, October 19, 2020, the cut-off date.

If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Carol Olson at (907) 465-5145 or carol.olson@alaska.gov not later than Thursday, October 8, 2020, to ensure that any necessary accommodations can be provided.

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 ON THE FINAL REGULATION 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 46.14.020; AS 46.14.030; AS 46.14.140

Statutes being implemented, interpreted, or made specific: AS 46.03.020; AS 46.14.020; AS 46.14.030; AS 46.14.140

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/airquality/register/index/>. A myalaska account is required to use the AOS system.

Date: October 2, 2020
By: Jason W. Bruno,
Commissioner

Published: October 4, 2020

AFFIDAVIT OF SUPPLEMENTAL NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Rebecca Tyson Smith, Environmental Program Specialist, of The Department of Environmental Conservation, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 18 AAC 50, Air Quality Control revising regulations on air quality and the Serious State Implementation Plan (SIP) for the Fairbanks North Star Borough (FNSB) nonattainment area to demonstrate that the SIP will meet the annual five percent reduction in federal emission requirements identified in the Clean Air Act has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date:

23 Oct 2020

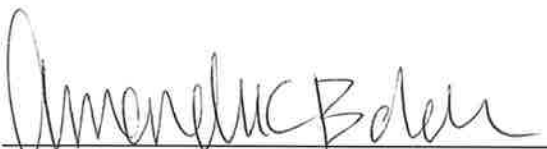

Rebecca Tyson Smith, Environmental Program Specialist

Subscribed and sworn to before me at

410 Willoughby Ave on

OCT 23, 2020

date


Notary Public in and for the State of Alaska



[NOTARY SEAL]