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 (DEC) proposes to revise regulations related to air quality, splitting the Fairbanks North Star Borough 24-hour $PM_{2.5}$ nonattainment area into two air quality areas: the Fairbanks area and the North Pole area. DEC is proposing to separate our air quality areas to better match local conditions with local solutions.

Summary of proposed changes: The Alaska Department of Environmental Conservation (DEC) proposes to adopt regulation changes in 18 AAC 50 of the Alaska Administrative Code, dealing with air quality regulations and designations for the Fairbanks North Star Borough 24-hour $PM_{2.5}$ nonattainment area, including the following:

(1) 18 AAC 50.015(b)(3) is proposed to be changed as follows: by repealing and readopting the paragraph to split the Fairbanks North Star Borough 24-hour $PM_{2.5}$ nonattainment area into two air quality areas: the Fairbanks area and the North Pole area.

(2) 18 AAC 50.030 is proposed to be changed as follows: by updating the *State Air Quality Control Plan* to amend Volume III Appendix to Volume II Section II to incorporate the proposed regulations after public review and comment. The intended effect of the amendments is to maintain consistency between the regulations and the *State Air Quality Control Plan*.

If adopted, DEC will include the applicable regulations in its submission of *State Air Quality Control Plan* revisions to the U.S. Environmental Protection Agency (EPA) for inclusion in the approved State Implementation Plan (SIP).

Written comments: You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by **submitting comments electronically on the Electronic Comment Submission page on our Air Online Services website at** https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments at the link for the 2026 Fairbanks Nonattainment Area Split Regulations. If you are unable to submit comments via this site, you may submit written comments to Rebecca Smith, Division of Air Quality, Department of Environmental Conservation, P.O. Box 111800, Juneau, Alaska 99811-1800; or by e-mail to dec.air.comment@alaska.gov.

Written comment deadline: The written comments must be received not later than 11:59 p.m. on Monday, November 30, 2026. Comments received after this date will not be considered in final action on these rules and the air quality plan.

Oral hearing: Oral or written comments also may be submitted at one of the hearings to be held on Tuesday, November 17, 2026, from 3:30 p.m. to 7:00 p.m. at Noel Wien Library, Large Conference Room, 1215 Cowles Street, Fairbanks, Alaska; and on Wednesday, November 18,

2026, from 3:30 p.m. to 7:00 p.m. at Hotel North Pole, Meeting Room, 449 N. Santa Claus Lane, North Pole, Alaska. Prior to the start of each hearing, DEC may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided. The hearings may be extended for a reasonable amount of time to accommodate those present before 7:00 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 DEC by **submitting questions electronically via the Electronic Comment Submission link on our Air Online Services website at:** https://dec.alaska.gov/Applications/Air/airtoolsweb/FormalComments at the link for the 2026 Fairbanks Nonattainment Area Split 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 questions must be received at least 10 days before the end of the public comment period, **Friday, November 20, 2026**. DEC will aggregate its response to substantially similar questions and make the questions and responses available on https://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-nonattainment-area-split-faq/. DEC may, but is not required to, answer written questions received after Friday, November 20, 2026, the cut-off date.

Public nature of comments and questions: Public comments and questions, once submitted, are public records and subject to disclosure under the Alaska Public Records Act. See AS 40.25.100 - 40.25.295. Do NOT include in your comments or questions any information that you do not want made public.

Accommodations: DEC complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need accommodation in order to participate in this process, please contact ADA Coordinator Kristin Mabry, kristin.mabry@alaska.gov, 1-907-334-0884, TDD Relay Service 1-800-770-8973/TTY, or dial 711 by November 10, 2026, to ensure that any necessary accommodations can be provided.

Obtaining copies of proposed regulations: The above list of proposed changes to the regulations only provides a summary of their subject matter. Copies of the proposed regulation changes are available on the Alaska Online Public Notice System and at the 2026 Fairbanks Nonattainment Area Split Regulations link on: https://dec.alaska.gov/air/anpms/sip/revisions/. Materials not feasible to post, such as those that are copyrighted, may be viewed at the DEC offices at the following locations: DEC Anchorage Building, 555 Cordova St., Anchorage; DEC Fairbanks Office Building, 610 University Avenue, Fairbanks; and DEC Juneau Office, 410 Willoughby Ave., 2nd Floor, Juneau. To arrange to view the materials, contact Rebecca Smith at 907-465-5121 or rebecca.smith@alaska.gov

Final version of regulations: After the public comment period ends, DEC 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.

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.

How to receive further notices: DEC, 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.

Individuals can also sign up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: https://aws.state.ak.us/OnlinePublicNotices/Default.aspx.

Date: October 20, 2026

Signed by:
Randy Bates
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Randy Bates, Commissioner