

Article 4 Revision Project Summary of Changes

Section Changed	Summary of Change	Reason for change
18 AAC 75.400(a)	Refines language specifying who is required to submit a plan.	Clarify the application requirements.
18 AAC 75.400(b)	Specifies working days as the time allowed for the department to issue an exemption request decision.	Allow adequate review time by specifying working days.
18 AAC 75.400(c)	Updates language about changes to oil terminal tanks to qualify for an exemption.	Clarify the requirements.
18 AAC 75.400(d)	Updates language about when a single plan can be submitted for multiple facilities.	Clarify the requirements.
18 AAC 75.400(e)	New - addresses when a nontank vessel can enter state waters without a plan and notification procedures to be followed.	Decrease the potential for compliance concerns because the department will be notified when a nontank vessel has a valid reason for entering state waters without a plan.
18 AAC 75.400(f)	New - states that a natural gas production or terminal facility as defined in AS 46.04.050(b) does not need a plan.	Include the statute exemption information in the regulation that addresses applicability to minimize confusion.
18 AAC 75.400(g)	New - states that an exploration facility that meets the natural gas exploration exemption requirements of AS 46.04.050 does not need a plan.	Include the exemption information in the regulation that addresses applicability to minimize confusion.
18 AAC 75.400(h)	New - outlines the regulated facilities that require a plan and when a plan is no longer required.	Clarify the requirements so it is clear when a plan is needed and when it is no longer needed.
18 AAC 75.405(a)	Clarifies that the department is notified in writing of the intent to submit a plan and adds the ability for the department to specify the electronic format of the plan that will be submitted.	Update to ensure pre-application notification requirements are consistent for all applicants, and revise to bring the regulation up to date with current technology.
18 AAC 75.405(b)	Updates language about consultation and discussions with the department.	Clarify the requirements.
18 AAC 75.405(c)	Updates nontank vessel citation to refer to new section.	Update citation.

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18 AAC 75.410(a)	Clarifies the timing for submitting an application, allows the department to specify the electronic format of the plan, and states that the plan will be posted on the department's website.	Provide adequate time for plan review and allow the department to specify the electronic format of the plan so it can be posted on the department's website, making it more efficient to distribute and review.
18 AAC 75.410(b)	Update requirement for applicant name to be the legal name.	Provide clarification that the official name is required.
18 AAC 75.410(d) and (e)	Repeals nontank vessel streamlined plan requirements.	Moved to new section 18 AAC 75.421.
18 AAC 75.410(f)	New - outlines who must sign a plan application.	Clarify who can sign an application.
18 AAC 75.414	New – Addresses application procedures for change of owner, operator, or name of the owner or operator.	Moved from section addressing application for renewal. A separate section will make it easier to understand the requirements.
18 AAC 75.415(a)	Requires that changes to the plan are identified and that the plan amendment will be submitted in the electronic format specified by the department. Presents factors used to determine if a plan amendment will be reviewed under 18 AAC 75.455.	Identifying plan edits will make review more efficient. Allowing the department to specify the electronic format of the plan amendment will allow it to be posted on the department's website, making it more efficient to distribute and review. Adding determination factors clarifies the review procedures for a plan amendment.
18 AAC 75.415(b)	Requires that all revisions included in a plan renewal or amendment application are specifically identified in the plan. It updates and clarifies requirements for a plan routine update application and for a plan amendment application. The change specifies who must receive a copy of the plan revisions for a routine update or for a plan amendment.	Identifying plan edits will make review more efficient The revised definition of routine plan updates narrows the scope of changes that qualify for processing outside of plan review procedures 18 AAC 75.415(c) –(f) or procedures in 18 AAC 75.455. This regulatory change, together with changes to 18 AAC 75.415(a) provides clarity for the applicant concerning the type of plan revisions that are strictly updates and which are amendments that must be further evaluated by the department.

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18 AAC 75.415(c)	Updates the type of vessels that apply for an amendment under this section, specifies working days for submittal and review timing, and updates the language regarding how a plan amendment will be reviewed.	Clarify review procedures and allow adequate time for review.
18 AAC 75.415(d)	Specifies working days for submittal and review timing and updates the language regarding how a plan will be reviewed.	Allow adequate review time and clarify review procedures.
18 AAC 75.415(e)	Repeals nontank vessel language.	Moved to new section, 18 AAC 75.421.
18 AAC 75.415(f)	Specifies working days for the department to notify the plan holder of review under 18 AAC 75.455 and updates the language regarding how a plan amendment will be reviewed.	Allow adequate review time and clarify review procedures.
18 AAC 75.415(g)	Requires that a plan amendment be submitted in the electronic format specified by the department and that a copy of the amendment be sent to the department. The department will notify specific persons that it is available on the department's website	Allowing the department to specify the electronic format of the plan amendment will allow it to be posted on the department's website, making it more efficient to distribute and review. Clarifies the distribution list for proposed plan amendments.
18 AAC 75.415(h)	New - requires an approved plan amendment be sent to the department and others in the electronic format specified by the department.	Will assure that approved plan amendments are available to the distribution list for approved plans.
18 AAC 75.415(i)	New - clarifies how amendments to add a vessel are reviewed.	Clarify review procedures.
18 AAC 75.420(a)	Clarify how far in advance of current plan approval expiration a renewal application needs to be submitted.	Specifying when a renewal application must be submitted will create consistent requirements for plan holders and allow adequate time for review of the renewal application prior to expiration of the current plan approval.

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Section Changed	Summary of Change	Reason for change
18 AAC 75.420(b)	Repeal change of ownership language	Moved to new section, 18 AAC 75.414.
18 AAC 75.420(c)	Requires that changes be identified in the renewal plan and that the plan be submitted in the electronic format specified by the department.	Identifying plan edits will make review more efficient. Requiring an electronic copy of the plan will allow it to be posted on the department's website, makes it easier to distribute and review.
18 AAC 75.420(d)	Repeal change of ownership language.	Moved to new section, 18 AAC 75.414
18 AAC 75.420(e)	Remove reference to (d) of the section	18 AAC 75.420(d) repealed.
18 AAC 75.421	New - nontank vessel streamlined plan application procedures.	Having a unique section for nontank streamlined plans will make it easier for the regulated community to identify the requirements which apply to them.
18 AAC 75.428(a)	Update citations related to nontank vessels.	New section was created for nontank streamlined plans.
18 AAC 75.455	Repealed and readopted. Language reorganized and revised throughout to make the regulation easier to follow and understand. Review procedures are revised to clarify the review schedule and public comment periods. Plan to be submitted in the electronic format specified by the department	Clarify review procedures. Requiring an electronic copy of the plan will allow it to be posted on the department's website, making it easier to distribute and review.
18 AAC 75.456(a)	Specify working days for review time and update citation.	Allow adequate review time by specifying working days and citation changed because new section was created for nontank streamlined plans.
18 AAC 75.457	Minor edit made and removed language that exists in statute.	Minor edits.
18 AAC 75.460	Updates language about when public comments are due and outlines the request for adjudicatory hearing and informal review procedures.	Clarify the close of the public comment period and the procedures available to a person that disagrees with the department's decision.

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18 AAC 75.460(b)	Requires an approved plan be sent to the department and the department will notify specific persons that it is available on the department's website.	Will assure that approved plan amendments are available to the distribution list for approved plans.
18 AAC 75.465(a)	Specifies where a railroad tank car keeps the plan approval documentation.	Clarifies where documents can be kept for a railroad tank car.
18 AAC 75.465(b)	Allows submittal of the plan certification log by electronic mail.	Bring the regulation up to date with current technology.
18 AAC 75.465(c)	Allows notification by electronic mail.	Bring the regulation up to date with current technology.
18 AAC 75.465(e)	New - Specifies the documents that must be available for inspection on a tank vessel, oil barge, or railroad tank car.	Clarifies the documents that need to be available for inspections.
18 AAC 75.465(f)	New - specifies the documents that must be available for inspection on a nontank vessel.	Clarifies the documents that need to be available for inspections.
18 AAC 75.990	Definitions updated for "vessel" and "streamlined plan", adds definitions for "sufficient for review" and "application and plan are complete."	Updated to provide clear requirements.

4/30/15