



6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R10-OAR-2017-0554; FRL -9970-27-Region 10]

Air Plan Approval; AK: Updates to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the Alaska State Implementation Plan (SIP). The regulations affected by this format change have all been previously submitted by Alaska and approved by the EPA. In this action, the EPA is also notifying the public of corrections to typographical errors, and minor formatting changes to the IBR tables. This update affects the SIP materials that are available for public inspection at the National Archives and Records Administration (NARA) and the EPA Regional Office.

DATES: This rule is effective on **[insert date of publication in the Federal Register]**.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 10 Office of Air and Waste (OAW-150), 1200 Sixth Avenue, Seattle, WA 98101, or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to:

<https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Kristin Hall, EPA Region 10, (206) 553-6357,

hall.kristin@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The SIP is a living document that a state revises as necessary to address its unique air pollution problems. Therefore, from time to time, the EPA must take action on SIP revisions containing new and/or revised regulations, approving and incorporating them into the SIP. On May 22, 1997, the EPA revised the procedures for incorporating by reference federally-approved SIPs, as a result of consultations between the EPA and the Office of the Federal Register (OFR) (62 FR 27968). The description of the revised SIP document, IBR procedures and “Identification of plan” format is discussed in further detail in the May 22, 1997, **Federal Register** document. On April 10, 2014, the EPA published a **Federal Register** beginning the new IBR procedure for Alaska (79 FR 19820). Since then, the EPA has approved and incorporated by reference the following provisions of Alaska Administrative Code (18 AAC 50), Alaska Statutes (AS), and Fairbanks North Star Borough (FNSB) Code into the Alaska SIP.

A. Added Regulations

- 18 AAC 50.007 Local Government Powers or Obligations Under a Local Air Quality Control Program
- 18 AAC 50.076 Solid Fuel-fired Heating Device Fuel Requirements; Standards for Commercial Wood-sellers
- 18 AAC 50.077 Standards for Wood-fired Heating Devices
- 18 AAC 50.246 Air Quality Episodes and Advisories for PM_{2.5}

- 18 AAC 50.400 Permit Administration Fees
- 18 AAC 50.510 Minor Permit: 18 AAC 50.510 Minor Permit – Title V Permit Interface
- 18 AAC 50.712 Agency Responsibilities
- FNSB 21.28.010 Definitions
- FNSB 21.28.020 Borough listed devices
- FNSB 21.28.030 Prohibited acts
- FNSB 21.28.050 Forecasting exceedances and restrictions in the air quality control zone during an alert
- FNSB 21.28.060 No other adequate source of heat determination

B. Revised Regulations

- 18 AAC 50.010 Ambient Air Quality Standards
- 18 AAC 50.015 Air Quality Designations, Classifications, and Control Regions
- 18 AAC 50.020 Baseline Dates and Maximum Allowable Increases
- 18 AAC 50.025 Visibility and Other Special Protection Areas
- 18 AAC 50.035 Documents, Procedures and Methods Adopted by Reference
- 18 AAC 50.040 Federal Standards Adopted by Reference
- 18 AAC 50.050 Incinerator Emission Standards
- 18 AAC 50.055 Industrial Processes and Fuel-Burning Equipment
- 18 AAC 50.065 Open Burning
- 18 AAC 50.215 Ambient Air Quality Analysis Methods

- 18 AAC 50.220 Enforceable Test Methods
- 18 AAC 50.230 Owner-Requested Limits
- 18 AAC 50.245 Air Quality Episodes and Advisories for Pollutants Other Than PM_{2.5}
- 18 AAC 50.260 Guidelines for Best Available Retrofit Technology Under the Regional Haze Rule
- 18 AAC 50.302 Construction Permits
- 18 AAC 50.306 Prevention of Significant Deterioration (PSD) Permits
- 18 AAC 50.345 Construction, Minor and Operating Permits: Standard Permit Conditions
- 18 AAC 50.400 Permit Administration Fees
- 18 AAC 50.502 Minor Permits for Air Quality Protection
- 18 AAC 50.508 Minor Permits Requested by the Owner or Operator
- 18 AAC 50.510 Minor Permit: 18 AAC 50.510 Minor Permit – Title V Permit Interface
- 18 AAC 50.540 Minor Permit: Application
- 18 AAC 50.542 Minor Permit: Review and Issuance
- 18 AAC 50.544 Minor Permit: Content
- 18 AAC 50.546 Minor Permit: Revisions
- 18 AAC 50.700 Purpose
- 18 AAC 50.705 Applicability
- 18 AAC 50.715 Interagency Consultation Procedures
- 18 AAC 50.720 Public Involvement

- 18 AAC 50.740 Written Commitments
- 18 AAC 50.745 Resolving Conflicts
- 18 AAC 50.750 Exempt Projects
- 18 AAC 50.990 Definitions
- AS 46.14.550 Responsibilities of Owner and Operator
- AS 46.14.990 Definitions

C. Removed Regulations

- 18 AAC 50.060 Pulp Mills
- 18 AAC 50.710 Transportation Conformity: Incorporation by Reference of Federal Regulations
- 18 AAC 50.725 General Conformity: Incorporation by Reference of Federal Regulations
- 18 AAC 50.735 General Conformity: Frequency of Conformity Determinations
- AS 46.14.510 Motor Vehicle Pollution

II. EPA Action

In this action, the EPA is announcing the update to the IBR material as of September 8, 2017. The EPA is correcting minor typographical errors and rearranging and republishing the contents of subsection 52.70(c). The EPA is also rearranging and republishing the contents of subsection 52.70(e) to align the contents with the outline of the Alaska state plan volumes and sections. We note we are correcting entries 18 AAC 50.075 and 18 AAC 50.077 in subsection 52.70(c) to accurately reflect the portions of these rule sections that were withdrawn by the State and not approved into the SIP (September 8, 2017, 82 FR 42457). We are also correcting the table

in subsection 52.70(e) to reflect our approval of the appendices to the Regional Haze Plan at entry III.III.K. (February 14, 2013, 78 FR 10546) and our most recent approval of the State Air Statutes at entry III.II.A. (September 19, 2014, 79 FR 56268).

The EPA has determined that this rule falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This rule simply codifies provisions which are already in effect as a matter of law in federal and approved state programs. Under section 553 of the APA, an agency may find good cause where procedures are “impractical, unnecessary, or contrary to the public interest.” Public comment is “unnecessary” and “contrary to the public interest” since the codification only reflects existing law. Immediate notice in the CFR benefits the public by removing outdated citations and incorrect table entries.

III. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of previously EPA-approved regulations promulgated by Alaska and federally-effective prior to September 8, 2017. The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and/or at the EPA Region 10 Office (please contact the person identified in the FOR FURTHER INFORMATION CONTACT section of this preamble for more information).

IV. Statutory and Executive Orders Review

A. General Requirements

Under the Clean Air Act (CAA), the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4);
- does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because this action does not involve technical standards; and
- does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Alaska regulations described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

B. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business

Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

The EPA has also determined that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Alaska SIP compilations had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA

sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for this “Identification of plan” update action for Alaska.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and record keeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: October 19, 2017.

Michelle L. Pirzadeh,
Acting Regional Administrator,
Region 10.

Part 52 of chapter I, title 40 of the Code of Federal Regulations, is amended as follows:

PART 52 – APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart C - Alaska

2. In § 52.70, revise paragraphs (b) through (e) to read as follows:

§52.70 Identification of plan.

* * * * *

(b) Incorporation by reference. (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to September 8, 2017, was approved for incorporation by reference by the Director of the **Federal Register** in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after September 8, 2017, will be incorporated by reference in the next update to the SIP compilation.

(2) The EPA Region 10 certifies that the rules and regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of September 8, 2017.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region 10 Office at 1200 Sixth Avenue, Seattle WA, 98101; or the National Archives and Records

Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) EPA approved regulations.

EPA-APPROVED ALASKA REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanations
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 50 Air Quality Control (18 AAC 50)				
18 AAC 50 Article 1. Ambient Air Quality Management				
18 AAC 50.005	Purpose and Applicability of Chapter	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.007	Local Government Powers or Obligations Under a Local Air Quality Control Program	2/28/2015	9/8/2017, 82 FR 42457	
18 AAC 50.010	Ambient Air Quality Standards	8/20/2016	8/28/2017, 82 FR 40712	Except (8).
18 AAC 50.015	Air Quality Designations, Classifications, and Control Regions	4/17/2015	5/19/2016, 81 FR 31511	
18 AAC 50.020	Baseline Dates and Maximum Allowable Increases	8/20/2016	8/28/2017, 82 FR 40712	
18 AAC 50.025	Visibility and Other Special Protection Areas	11/26/2016	9/8/2017, 82 FR 42457	
18 AAC 50.035	Documents, Procedures and Methods Adopted by Reference	8/20/2016	8/28/2017, 82 FR 40712	Except (a)(6) and (b)(4).
18 AAC 50.040	Federal Standards Adopted by Reference	8/20/2016; 11/9/2014	8/28/2017, 82 FR 40712; 1/7/2015, 80 FR 832	Except (a), (b), (c), (d), (e), (g), (j) and (k).
18 AAC 50.045	Prohibitions	10/1/2004	8/14/2007, 72 FR 45378	

18 AAC 50.050	Incinerator Emission Standards	7/25/2008	9/19/2014, 79 FR 56268	
18 AAC 50.055	Industrial Processes and Fuel-Burning Equipment	8/20/2016	8/28/2017, 82 FR 40712	Except (d)(2)(B).
18 AAC 50.065	Open Burning	3/2/2016	9/8/2017, 82 FR 42457	
18 AAC 50.070	Marine Vessel Visible Emission Standards	6/21/1998	8/14/2007, 72 FR 45378	
18 AAC 50.075	Solid Fuel-Fired Heating Device Visible Emission Standards	11/26/2016	9/8/2017, 82 FR 42457	Except (d)(2).
18 AAC 50.076	Solid Fuel-Fired Heating Device Fuel Requirements; Registration of Commercial Wood Sellers	11/26/2016	9/8/2017, 82 FR 42457	Except (g)(11).
18 AAC 50.077	Standards for Wood-Fired Heating Devices	11/26/2016	9/8/2017, 82 FR 42457	Except (h).
18 AAC 50.080	Ice Fog Standards	1/18/1997	8/14/2007, 72 FR 45378	
18 AAC 50.100	Nonroad Engines	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.110	Air Pollution Prohibited	5/26/1972	5/31/1972, 37 FR 10842	
18 AAC 50 Article 2. Program Administration				
18 AAC 50.200	Information Requests	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.201	Ambient Air Quality Investigation	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.205	Certification	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.215	Ambient Air Quality Analysis Methods	8/20/2016	8/28/2017, 82 FR 40712	Except (a)(4).
18 AAC 50.220	Enforceable Test Methods	9/14/2012	9/19/2014, 79 FR 56268	Except (c)(1)(A), (B), (C), and (c)(2).

18 AAC 50.225	Owner-Requested Limits	10/6/2013	5/27/2015, 80 FR 30161	
18 AAC 50.230	Preapproved Emission Limits	9/26/2015; 1/29/2005	11/25/2016, 81 FR 85160; 8/14/2007, 72 FR 45378	Except (d).
18 AAC 50.240	Excess Emissions	1/18/1997	11/18/1998, 63 FR 63983	
18 AAC 50.245	Air Quality Episodes and Advisories for Air Pollutants Other than PM _{2.5}	2/28/2015	9/8/2017, 82 FR 42457	
18 AAC 50.246	Air Quality Episodes and Advisories for PM _{2.5}	2/28/2015	9/8/2017, 82 FR 42457	
18 AAC 50.250	Procedures and Criteria for Revising Air Quality Classifications	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.260	Guidelines for Best Available Retrofit Technology under the Regional Haze Rule	9/26/2015; 10/6/2013	11/25/2016, 81 FR 85160; 5/27/2015, 80 FR 30161	
18 AAC 50 Article 3. Major Stationary Source Permits				
18 AAC 50.301	Permit Continuity	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.302	Construction Permits	9/14/2012	9/19/2014, 79 FR 56268	Except (a)(3).
18 AAC 50.306	Prevention of Significant Deterioration (PSD) Permits	1/4/2013	9/19/2014, 79 FR 56268	
18 AAC 50.311	Nonattainment Area Major Stationary Source Permits	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.345	Construction, Minor and Operating Permits: Standard Permit Conditions	8/20/2016	8/28/2017, 82 FR 40712	Except (b), (c)(3), and (l).
18 AAC 50 Article 4. User Fees				
18 AAC 50.400	Permit Administration Fees	9/26/2015	11/25/2016, 81 FR 85160	Except (a), (b), (c), and (i).

18 AAC 50 Article 5. Minor Permits				
18 AAC 50.502	Minor Permits for Air Quality Protection	8/20/2016	8/28/2017, 82 FR 40712	
18 AAC 50.508	Minor Permits Requested by the Owner or Operator	12/9/2010	9/19/2014, 79 FR 56268	
18 AAC 50.510	Minor Permit – Title V Permit Interface	12/9/2010	9/19/2014, 79 FR 56268	
18 AAC 50.540	Minor Permit: Application	8/20/2016	8/28/2017, 82 FR 40712	
18 AAC 50.542	Minor Permit: Review and Issuance	8/20/2016	8/28/2017, 82 FR 40712	Except (b)(2).
18 AAC 50.544	Minor Permits: Content	12/9/2010	9/19/2014, 79 FR 56268	
18 AAC 50.546	Minor Permits: Revisions	7/15/2008	9/19/2014, 79 FR 56268	Except (b).
18 AAC 50.560	General Minor Permits	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50 Article 7. Transportation Conformity				
18 AAC 50.700	Purpose	4/17/2015	9/8/2015; 80 FR 53735	
18 AAC 50.705	Applicability	4/17/2015	9/8/2015; 80 FR 53735	
18 AAC 50.712	Agency Responsibilities	4/17/2015	9/8/2015; 80 FR 53735	
18 AAC 50.715	Interagency Consultation Procedures	3/2/2016	8/28/2017, 82 FR 40712	
18 AAC 50.720	Public Involvement	3/2/2016	8/28/2017, 82 FR 40712	
18 AAC 50.740	Written Comments	4/17/2015	9/8/2015, 80 FR 53735	
18 AAC 50.745	Resolving Conflicts	4/17/2015	9/8/2015, 80 FR 53735	
18 AAC 50.750	Exempt Projects	4/17/2015	9/8/2015, 80 FR 53735	
18 AAC 50 Article 9. General Provisions				
18 AAC 50.900	Small Business Assistance Program	10/1/2004	8/14/2007, 72 FR 45378	

18 AAC 50.990	Definitions	3/2/2016	9/8/2017, 82 FR 42457	
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 52 Emissions Inspection and Maintenance Requirements (18 AAC 52)				
18 AAC 52 Article 1. Emissions Inspection and Maintenance Requirements				
18 AAC 52.005	Applicability and General Requirements	5/17/2008	3/22/2010, 75 FR 13436	
18 AAC 52.007	Suspension and Reestablishment of I/M Requirements	5/17/2008	3/22/2010, 75 FR 13436	
18 AAC 52.010	I/M Program Administration Office	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.015	Motor Vehicle Maintenance Requirements	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.020	Certificate of Inspection Requirements	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.025	Visual Identification of Certificate of Inspection, Waivers, and Exempt Vehicles	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.030	Department-Administered I/M Program	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.035	I/M Program Administered by an Implementing Agency	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.037	Reporting Requirements for an I/M Program Administered by an Implementing Agency	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.040	Centralized Inspection Program	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.045	Decentralized Inspection Program	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.050	Emissions Standards	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.055	Alternative Requirements,	1/1/2000	1/8/2002, 67 FR 822	

	Standards and Test Procedures			
18 AAC 52.060	Waivers	5/17/2008	3/22/2010, 75 FR 13436	
18 AAC 52.065	Emissions-Related Repair Cost Minimum	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.070	Referee Facility	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.075	Kit Cars and Custom-Manufactured Vehicles	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.080	Grey Market Vehicles	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.085	Vehicle Modifications	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.090	Repair of Nonconforming Vehicles	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.095	Minimum Certification Requirements	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.100	Enforcement Procedures for Violations by Motorists	12/14/2006	3/22/2010, 75 FR 13436	
18 AAC 52.105	Enforcement Procedures for Violations by Certified Mechanics or Stations	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52 Article 4. Certification Requirements				
18 AAC 52.400	Mechanic Certification	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.405	Certified Mechanic Examinations	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.410	Training Course Certification	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.415	I/M Station Certification	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.420	Equipment Certification	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.425	Renewal of Certification	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.430	Duty to Report Change in Status	2/1/1994	4/5/1995, 60 FR 17232	

18 AAC 52.440	Monitoring of Certified Mechanics and Stations	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.445	Suspension or Revocation of Certification	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52 Article 5. Certified Station Requirements				
18 AAC 52.500	General Operating Requirements	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.505	Display of Certified Station Sign	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.510	Display of Certificates	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.515	Inspection Charges	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.520	Required Tools and Equipment	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.525	Remote Station Operation	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.527	Prescreening Prohibited	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.530	Preliminary Inspection	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.535	Test Abort Conditions	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.540	Official I/M Testing	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.545	Parts on Order	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.546	Unavailable Parts	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.550	Recordkeeping Requirements	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52 Article 9. General Provisions				
18 AAC 52.990	Definitions	2/18/2006	3/22/2010, 75 FR 13436	
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 53 Fuel Requirements for Motor Vehicles (18 AAC 53)				
18 AAC 53 Article 1. Oxygenated Gasoline Requirements				
18 AAC	Purpose and	10/31/1997	12/29/1999, 64	

53.005	Applicability; General Requirements		FR 72940	
18 AAC 53.007	Dispenser Labeling	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.010	Control Periods and Control Areas	2/20/2004	6/23/2004, 69 FR 34935	
18 AAC 53.020	Required Oxygen Content	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.030	Sampling, Testing and Oxygen Content Calculations	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.035	Per Gallon Method of Compliance	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.040	Averaging Oxygen Content Method of Compliance	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.045	Oxygen Credits and Debits	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.060	Oxygenated Gasoline Blending	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.070	Registration and Permit	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.080	Car Fees	12/30/2000	1/08/2002, 67 FR 822	
18 AAC 53.090	Recordkeeping	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.100	Reporting	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.105	Product Transfer Document	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.120	Inspection and Sampling	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.130	Liability for Violation	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.140	Defenses for Violation	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.150	Temporary Variances	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.160	Quality Assurance Program	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.170	Attest Engagements	10/31/1997	12/29/1999, 64 FR 72940	

18 AAC 53.190	Suspension and Reestablishment of Control Period	2/20/2004	6/23/2004, 69 FR 34935	
18 AAC 53 Article 9. General Provisions				
18 AAC 53.990	Definitions	10/31/1997	12/29/1999, 64 FR 72940	
Alaska Statutes				
Title 45 Trade and Commerce, Chapter 45.45. Trade Practices				
Sec. 45.45.400	Prohibited Transfer of Used Cars	6/25/1993	11/18/1998, 63 FR 63983	Except (b).
Title 46 Water, Air, Energy, and Environmental Conservation, Chapter 46.14. Air Quality Control				
Sec. 46.14.550	Responsibilities of Owner and Operator; Agent for Service	1/4/2013	9/19/2014, 79 FR 56268	
Sec. 46.14.560	Unavoidable Malfunctions and Emergencies	6/25/1993	11/18/1998, 63 FR 63983	
Sec. 46.14.990	Definitions	1/4/2013	9/19/2014, 79 FR 56268	Except (1) through (3), (6), (7), (9) through (14), (19) through (26), and (28).
City and Borough Codes and Ordinances				
Anchorage Municipal Code 21.85.030	Improvement Requirements by Improvement Area	1/16/1987 (city effective date)	8/13/1993, 58 FR 43084	Eagle River PM Plan – Contingency Plan.
Anchorage Municipal Code 21.45.080.W. 7	Paving	9/24/1991 (city effective date)	8/13/1993, 58 FR 43084	Section W.7. Eagle River PM Plan – Contingency Plan.
Fairbanks North Star Borough Ordinance No. 2001-17	Mandating a Fairbanks North Star Borough Motor Vehicle Plug-in Program	4/12/2001 (borough adoption date)	2/4/2002, 67 FR 5064	Fairbanks Transportation Control Program – Carbon Monoxide.
Fairbanks North Star Borough	An Ordinance amending the Carbon Monoxide Emergency	10/30/2003 (borough adoption date)	7/27/2004, 69 FR 44601	Fairbanks Carbon Monoxide Maintenance

Ordinance No. 2003-71	Episode Prevention Plan including implementing a Woodstove Control Ordinance			Plan.
Ordinance of the City and Borough of Juneau, No. 91-52	An Ordinance amending the Wood smoke control code to lower the particulate count threshold, and to prohibit the burning in woodstoves of substances other than paper, cardboard and untreated wood	1/6/1992 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau, No. 91-53	An Ordinance amending the wood smoke control fine schedule to increase the fines for violations of the wood smoke control code	1/6/1992 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau No. 93-01	Setting boundaries for regrading and surfacing	2/8/1993 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau, No. 93-06	Setting boundaries for regrading and surfacing	4/5/1993 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau, No. 93-39am	An Ordinance creating Local Improvement District No. 77 of the City and Borough, setting boundaries for drainage and paving of streets in the Mendenhall Valley	11/17/1993 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Anchorage Ordinance	An ordinance amending the Anchorage	2/14/2006 (city approval)	3/22/2010, 75 FR 13436	Anchorage Transportation

2006-13	Municipal Code, Chapters 15.80 and 15.85 to comply with State I/M regulations and to comply with DMV Electronic Procedures.	date)		Control Program – Carbon Monoxide.
Ordinance of the City and Borough of Juneau, Serial No. 2008-28	An Ordinance Amending the Woodsmoke Control Program Regarding Solid Fuel-Fired Burning Devices.	9/8/2008 (city adoption date)	5/9/2013, 78 FR 27071	Mendenhall Valley PM Limited Maintenance Plan.
Fairbanks North Star Borough Code				
Chapter 21.28 – PM_{2.5} Air Quality Control Program				
21.28.010	Definitions	3/2/2015 (borough effective date)	9/8/2017, 82 FR 42457	
21.28.020	Borough listed appliances	1/15/2016 (borough effective date)	9/8/2017, 82 FR 42457	
21.28.030	Prohibited acts	10/1/2016 (borough effective date)	9/8/2017, 82 FR 42457	except H and J.
21.28.050	Forecasting exceedances and restrictions in the air quality control zone during an alert	6/26/2015 (borough effective date)	9/8/2017, 82 FR 42457	
21.28.060	No other adequate source of heat determination	8/12/2016 (borough effective date)	9/8/2017, 82 FR 42457	

(d) EPA approved state source-specific requirements.

EPA-APPROVED ALASKA SOURCE-SPECIFIC REQUIREMENTS

Name of	Order/permit number	State	EPA approval	Explanations
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source		effective date	date	
None.				

(e) EPA approved nonregulatory provisions and quasi-regulatory measures.

EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
State of Alaska Air Quality Control Plan: Volume II. Analysis of Problems, Control Actions				
Section I. Background				
II.I.A. Introduction	Statewide	1/8/1997	12/29/1999, 64 FR 72940	
II.I.B. Air Quality Control Regions	Statewide	1/8/1997	12/29/1999, 64 FR 72940	
II.I.C. Attainment/nonattainment Designations	Statewide	1/8/1997	12/29/1999, 64 FR 72940	
II.I.D. Prevention of Significant Deterioration Designations	Statewide	1/8/1997	12/29/1999, 64 FR 72940	
II.I.E. New Source Review	Statewide	1/8/1997	12/29/1999, 64 FR 72940	
Section II. State Air Quality Control Program				
II.II. State Air Quality Control Program	Statewide	7/9/2012	10/22/2012, 77 FR 64425	
Section III. Areawide Pollutant Control Program				
II.III.A. Statewide Carbon Monoxide Control Program	Statewide	6/5/2008	3/22/2010, 75 FR 13436	
II.III.B. Anchorage Transportation Control Program	Anchorage	1/4/2002	9/18/2002, 67 FR 58711	
II.III.B.11. Anchorage Carbon Monoxide	Anchorage	9/20/2011	3/3/2014, 79 FR 11707	

Maintenance Plan				
II.III.B.12. Anchorage Second 10-year Carbon Monoxide Limited Maintenance Plan	Anchorage	4/22/2013	3/3/2014, 79 FR 11707	
II.III.C. Fairbanks Transportation Control Program	Fairbanks	8/30/2001	2/4/2002, 67 FR 5064	
II.III.C.11. Fairbanks Carbon Monoxide Redesignation and Maintenance Plan	Fairbanks	9/15/2009	3/22/2010, 75 FR 13436	
II.III.C.12. Fairbanks Second 10-year Carbon Monoxide Limited Maintenance Plan	Fairbanks	4/22/2013	8/9/2013, 78 FR 48611	
II.III.D. Particulate Matter	Statewide	10/15/1991	8/13/1993, 58 FR 43084	
II.III.D.2. Eagle River PM10 Control Plan	Eagle River	10/15/1991	8/13/1993, 58 FR 43084	
II.III.D.2.a. Eagle River PM10 Limited Maintenance Plan	Eagle River	9/29/2010	1/7/2013, 78 FR 900	
II.III.D.3. Mendenhall Valley PM10 Control Plan	Mendenhall Valley	6/22/1993	3/24/1994, 59 FR 13884	
II.III.D.3.a. Mendenhall Valley PM10 Limited Maintenance Plan	Mendenhall Valley	5/14/2009	5/9/2013, 78 FR 27071	
II.III.D.4. Interstate Transport of Particulate Matter	Statewide	2/7/2008	10/15/2008, 73 FR 60957	
II.III.D.5. Fairbanks North Star Borough PM _{2.5} Control Plan	Fairbanks North Star Borough	11/23/2016	9/8/2017, 82 FR 42457	Fairbanks North Star Borough PM _{2.5} Moderate Area Plan.
II.III.E. Ice Fog	Statewide	1/18/1980	7/5/1983, 48 FR 30623	
II.III.F. Open Burning	Statewide	4/4/2011	2/14/2013, 78 FR 10546	
II.III.F.1. In Situ Burning Guidelines for	Statewide	4/4/2011	2/14/2013, 78 FR 10546	Revision 1, August 2008.

Alaska				
II.III.G. Wood Smoke Pollution Control	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.III.H. Lead Pollution Control	Statewide	11/15/1983	1/3/1984, 49 FR 67	
II.III.I. Transportation Conformity	Statewide	4/17/2015	9/8/2015, 80 FR 53735	
II.III.I.1. Transportation Conformity Supplement	Statewide	7/29/2015	9/8/2015, 80 FR 53735	Clarification re: access to public records: AS 40.25.110, AS 40.25.115, and 2 AAC 96.
II.III.J. General Conformity	Statewide	12/05/1994	9/27/1995, 60 FR 49765	
II.III.K. Area Wide Pollutant Control Program for Regional Haze	Statewide	4/4/2011	2/14/2013, 78 FR 10546	
Section IV. Point Source Control Program				
II.IV.A. Summary	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.IV.B. State Air Quality Regulations	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.IV.C. Local Programs	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.IV.D. Description of Source Categories and Pollutants	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.IV.E. Point Source Control	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.IV.F. Facility Review Procedures	Statewide	9/12/1988	7/31/1989, 54 FR 31522	
II.IV.G. Application Review and Permit Development	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
II.IV.H. Permit Issuance Requirements	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
Section V. Ambient Air Monitoring				
II.V.A. Purpose	Statewide	1/18/1980	4/15/1981, 46 FR 21994	

II.V.B. Completed Air Monitoring Projects	Statewide	1/18/1980	4/15/1981, 46 FR 21994	
II.V.C. Air Monitoring Network	Statewide	1/18/1980; 7/11/1994	4/15/1981, 46 FR 21994; 4/5/1995, 60 FR 17237	
II.V.E. Annual Review	Statewide	1/18/1980	4/15/1981, 46 FR 21994	
State of Alaska Air Quality Control Plan: Volume III. Appendices				
Section II. State Air Quality Control Program				
III.II.A. State Air Statutes	Statewide	12/11/2006	3/22/2010, 75 FR 13436	Except 46.03.170.
III.II.A.1. State Attorney General Opinions on Legal Authority	Statewide	12/11/2006	3/22/2010, 75 FR 13436	
III.II.B. Municipality of Anchorage and ADEC Agreements	Anchorage	4/22/2013	3/3/2014, 79 FR 11707	
III.II.C. Fairbanks North Star Borough and ADEC Agreements	Fairbanks	12/11/2006	3/22/2010, 75 FR 13436	
III.II.D. CAA Section 110 Infrastructure Certification Documentation and Supporting Documents	Statewide	5/12/2015	5/12/2017, 82 FR 22081	
III.II.D.1. Attachment 1 – Public Official Financial Disclosure (2 AAC 50.010 through 2 AAC 50.200)	Statewide	7/9/2012	10/22/2012, 77 FR 64425	Approves for purposes of CAA section 128.
III.II.D.2. Attachment 2 – Executive Branch Code of Ethics (9 AAC 52.010 through 9 AAC 52.990)	Statewide	7/9/2012	10/22/2012, 77 FR 64425	Approves for purposes of CAA section 128.
Section III. Area wide Pollutant Control Program				
III.III.A. I/M Program Manual	Statewide	6/5/2008	3/22/2010, 75 FR 13436	

III.III.B. Municipality of Anchorage	Anchorage	4/22/2013	3/3/2014, 79 FR 11707	
III.III.C. Fairbanks	Fairbanks	4/22/2013	8/9/2013, 78 FR 48611	
III.III.D. Particulate Matter	Statewide	10/15/1991	8/13/1993, 58 FR 43084	
III.III.D.2. Eagle River PM10 Control Plan	Eagle River	9/29/2010	1/7/2013, 78 FR 900	
III.III.D.3. Control Plan for the Mendenhall Valley of Juneau	Mendenhall Valley	5/14/2009	5/9/2013, 78 FR 27071	
III.III.D.5. Fairbanks North Star Borough PM2.5 Control Plan	Fairbanks North Star Borough	11/23/2016	9/8/2017, 82 FR 42457	Only with respect to the Fairbanks North Star Borough PM _{2.5} Moderate Area Plan.
III.III.G. Ordinance of the City and Borough of Juneau	Juneau	11/15/1983	4/24/1984, 49 FR 17497	
III.III.H. Support Documents for Lead Plan	Statewide	11/15/1983	1/3/1984, 49 FR 67	
III.III.K. Area wide Pollutant Control Program for Regional Haze	Statewide	4/4/2011	2/14/2013, 78 FR 10546	
Section IV. Point Source Control Program				
III.IV. Point Source Control Program	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
III.IV.1. PSD Area Classification and Reclassification	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
III.IV.2. Compliance Assurance	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
III.IV.3. Testing Procedures	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
Section V. Ambient Air Monitoring				
III.V. Ambient Air Monitoring	Statewide	11/15/1983	4/24/1984, 49 FR 17497	
Section VI. Small Business Assistance Program				
III.VI. Small Business Assistance Program	Statewide	4/18/1994	9/5/1995, 60 FR 46024	

Infrastructure and Interstate Transport				
Interstate Transport Requirements – 1997 Ozone and 1997 PM _{2.5} NAAQS	Statewide	2/7/2008	10/15/2008, 73 FR 60957	Approves SIP for purposes of CAA section 110(a)(2)(D)(i) for the 1997 Ozone and 1997 PM _{2.5} NAAQS.
Infrastructure Requirements – 1997 Ozone NAAQS	Statewide	7/9/2012	10/22/2012, 77 FR 64425	Approves SIP for purposes of CAA sections 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 1997 Ozone NAAQS.
Interstate Transport Requirements – 2008 Ozone and 2006 PM _{2.5} NAAQS	Statewide	3/29/2011	8/4/2014, 79 FR 45103	Approves SIP for purposes of CAA section 110(a)(2)(D)(i)(I) for the 2008 Ozone and 2006 PM _{2.5} NAAQS.
Interstate Transport Requirements – 2008 Lead NAAQS	Statewide	7/9/2012	8/4/2014, 79 FR 45103	Approves SIP for purposes of CAA section 110(a)(2)(D)(i)(I) for the 2008 Lead NAAQS.
Infrastructure Requirements – 1997 PM _{2.5} NAAQS	Statewide	7/9/2012	11/10/2014, 79 FR 66651	Approves SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (H), (J), (K), (L), and (M) for the 1997 PM _{2.5} NAAQS.
Infrastructure Requirements – 2006 PM _{2.5} NAAQS	Statewide	7/9/2012, 3/29/2011	11/10/2014, 79 FR 66651	Approves SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (H), (J), (K), (L), and (M)

				for the 2006 PM _{2.5} NAAQS.
Infrastructure Requirements – 2008 Ozone NAAQS	Statewide	7/9/2012, 3/29/2011	11/10/2014, 79 FR 66651	Approves SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2008 Ozone NAAQS.
Infrastructure Requirements – 2010 NO ₂ NAAQS	Statewide	5/12/2015	5/12/2017, 82 FR 22081	Approves SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2010 NO ₂ NAAQS.
Infrastructure Requirements – 2010 SO ₂ NAAQS	Statewide	5/12/2015	5/12/2017, 82 FR 22081	Approves SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2010 SO ₂ NAAQS.
Regulations Approved but not Incorporated by Reference				
18 AAC 50.076(g)(11) Solid Fuel-fired Heating Device Fuel Requirements; Registration of Commercial Wood Sellers	Statewide	11/26/2016	9/8/2017, 82 FR 42457	
21.28.030.J Prohibited Acts. Penalties	Fairbanks North Star Borough	10/1/2016 (borough effective date)	9/8/2017, 82 FR 42457	FNSB Code Chapter 21.28 PM _{2.5} Air Quality Control Program.
21.28.040 Enhanced voluntary removal, replacement and repair program	Fairbanks North Star Borough	1/15/2016 (borough effective date)	9/8/2017, 82 FR 42457	FNSB Code Chapter 21.28 PM _{2.5} Air Quality Control Program.

21.28.070 Voluntary burn cessation program	Fairbanks North Star Borough	4/24/2015 (borough effective date)	9/8/2017, 82 FR 42457	FNSB Code Chapter 21.28 PM _{2.5} Air Quality Control Program.
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