

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

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt regulation changes in Title 18 of the Alaska Administrative Code (AAC) Chapter 52 Emissions Inspection and Maintenance Requirements for Motor Vehicles, and Chapter 50 Air Quality Control.. The proposed changes to 18 AAC 52.005 would increase the time period during which a new model year vehicle is exempt from a vehicle emissions test and exempt vehicles with historic vehicle plates and custom collector plates from having to participate in the vehicle emissions testing program. The proposed changes to 18 AAC 52.060 update the federal reference for poverty guidelines for use in economic hardship waivers. The proposed changes to 18 AAC 52.990 add definitions of categories for exempt vehicles including “historic exhibition use,” “historic vehicle plate” and “custom collector plate”.

ADEC is proposing to amend the State Air Quality Control Plan, which is adopted by reference in 18 AAC 50.030, as follows:

- update Volume II, Section II: Air Quality Control Program, and update Volume II, Section III.A: Statewide Carbon Monoxide Control Program to incorporate the revisions to 18 AAC 52;
- revise and update Volume II, Section III. B: Anchorage Transportation Control Program to:
 - update the Anchorage vehicle inspection and maintenance (I/M) program consistent with the changes to 18 AAC 52 and local ordinances;
 - update the carbon monoxide (CO) contingency control measures that could be implemented if Anchorage exceeds the National Ambient Air Quality Standard (NAAQS) for CO in the future;
 - demonstrate that the changes to the Anchorage I/M program do not impact maintenance of the National Ambient Air Quality Standard for CO.
- update Volume III, the Appendices to Volume II to include the revised 18 AAC 52 regulations, the revised Anchorage emission inventory and projections, Anchorage’s technical analysis for complying with the NAAQS for CO, and the Municipality of Anchorage’s most recent I/M ordinances and code.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying and alternative practical methods of complying with the proposed changes, by submitting written comments to Scott Sloane, Division of Air Quality, ADEC, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, Alaska 99811-1800, or by facsimile at: (907) 465-5129. Comments must be received by 5:00 p.m. on July 15th, 2009. Comments received after this date will not be considered in final action on these rules.

The Department will hold a public hearing on this proposal on Monday, July 13th, 2009 from 12:30-1:30 pm, at the ADEC Bayview Office Building, Conference Room A, 619 Ship Creek Drive, Anchorage, Alaska. Oral or written comment may be submitted at the hearing. The hearing will be extended if necessary to accommodate those present before 1:30 pm who did not have an opportunity to comment. If you will not be able to attend the public hearing in person, please contact Cindy Heil at (907) 269-7579 by July 10th, 2009 to make arrangements to participate by phone. The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Deborah Pock at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 30 days of publication of this notice to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes and the Anchorage CO Maintenance Plan please refer to this ADEC webpage <http://www.dec.state.ak.us/air/ap/calendar.htm>, or contact Scott Sloane by telephone at (907) 465-5176, or by e-mail at scott.sloane@alaska.gov.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PUBLIC COMMENT PERIOD that was issued on June 8, 2009 concerning these proposed regulation revisions contained in the Department of Law file number 993-08-0144. This SUPPLEMENTAL NOTICE is being issued to incorporate the list of specific citations addressed in the proposed regulation changes.

After the public comment period ends on July 15th, 2009, ADEC will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 46.03.010, AS 46.03.020, AS 46.14.030, AS 46.14.510

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.03.010, AS 46.03.020, AS 46.14.030, AS 46.14.510

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

Dated: June 12th, 2009



Larry Hartig, Commissioner

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Environmental Conservation.
2. General subject of regulation: Emissions Inspection and Maintenance Requirements for Motor Vehicles, and Air Quality Control.
3. Citation of regulation: 18 AAC 52 and 18 AAC 50.
4. Reason for the proposed action: Update 18 AAC 52.005 with changes related to exemptions for new motor vehicles, vehicles with historic or custom collector plates. Update 18 AAC 52.060 with the federal reference for poverty guidelines for use in economic hardship waivers. Update 18 AAC 52.990 with definitions. Update 18 AAC 50.030 to adopt by reference into the State Air Quality Control Plan the Municipality of Anchorage's revised Carbon Monoxide Maintenance Plan and its Appendices.
5. BRU/component affected: Air Quality
6. Cost of implementation to the state agency and available funding (in thousands of dollars): none

	Initial Year FY 2009	Subsequent Years
Cost	\$ 0___	\$ 0___
General fund	\$ 0___	\$ 0___
Federal funds	\$ 0___	\$ 0___
Other funds (specify)	\$ 0___	\$ 0___

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

Name Scott Sloane
Title Environmental Program Specialist
Address Division of Air Quality, ADEC, 410 Willoughby Avenue, Suite 303
 P.O. Box 111800, Juneau, Alaska 99811-1800
Telephone (907) 465-5176
E-mail address scott.sloane@alaska.gov

8. The origin of the proposed action: Division of Air Quality staff.

9. Date: June 2nd, 2009 Prepared by: _____ /s/

Name (typed) Scott Sloane
Title (typed) Environmental Program Specialist
Telephone: (907) 465-5176