

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) takes action on and/or approves regulations from three submittals received from the Alaska Department of Environmental Conservation (ADEC): submittal dated July 17, 1990 requesting our action to address out-of-date sections found in 40 CFR 52.73-52.96 relating to Alaska state implementation plan (SIP) deficiencies, and including the applicable Alaska statutes to support their request; submittal dated October 15, 1991 requesting approval of amendments to regulations dealing with Air Quality Control, 18 AAC 50, for inclusion into Alaska's SIP to assure compliance with Federal ambient air quality standards for airborne particulate matter, and submittal dated March 24, 1994 requesting approval of additional amendments to 18 AAC 50, Air Quality Control, for inclusion into Alaska's SIP to assure compliance with new source review permitting requirements, the 1990 Clean Air Act Amendments (the Act), for sources located in nonattainment areas for either carbon monoxide or particulate matter. The above submittals include amendments to the State Air Quality Control Plan, which is incorporated by reference in 18 AAC 50.

DATES: This final rule will be effective on April 17, 1995 unless adverse or critical comments are received by March 20, 1995. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Written comments should be addressed to:

Montel Livingston, SIP Manager, Air & Radiation Branch (AT-082), EPA, 1200 Sixth Avenue, Seattle, Washington 98101.

Documents which are incorporated by reference are available for public inspection at the Air and Radiation Docket and Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

Copies of material submitted to EPA may be examined during normal business hours at the following locations: EPA, Region 10, Air & Radiation Branch, 1200 Sixth Avenue (AT-082), Seattle, Washington 98101, and ADEC, 410 Willoughby, Suite 105, Juneau, Alaska 99801-1795.

FOR FURTHER INFORMATION CONTACT: Montel Livingston, Air & Radiation Branch (AT-082), EPA, Seattle, Washington 98101, (206) 553-0180.

SUPPLEMENTARY INFORMATION:

I. Background

On July 1, 1987 (52 FR 24634), EPA revised the national ambient air quality standards (NAAQS) for particulate matter. Total suspended particulate (TSP) was replaced as the indicator for particulate matter ambient standard by a new indicator, particulate matter with a nominal aerodynamic diameter of 10 micrometers or less in size (PM-10). In response, ADEC amended its rules and regulations which dealt with particulate matter to assure compliance with particulate NAAQS throughout Alaska, and in addition, adopted numerous other changes, including amendments to its regulations for new source review. The package, dated October 15, 1991, was received by EPA on October 21, 1991, together with the proof of filing certification by the Lieutenant Governor of Alaska and a certified copy of the regulations dealing with Air Quality Control, 18 AAC 50, for inclusion into the SIP.

An earlier package, submitted on July 17, 1990, requested EPA to address out-of-date sections in the CFR and included Alaska statutes which were applicable to the corrections.

On March 24, 1994 further amendments to 18 AAC 50, including amendments to the State Air Quality Control Plan (which is incorporated by reference in 18 AAC 50), were submitted to EPA as a revision to the Alaska SIP. These amendments include further changes to the regulations for PM-10 and new source review.

II. Description of Revisions

A. Amendments to Air Quality Control Plan, October 15, 1991

The October 15, 1991 submittal encompasses a broad range of topics. Specifically, the amendments to 18 AAC 50:

1. establish an ambient air quality standard for particulate matter smaller than 10 microns;
2. revise the provisions relating to wood-fired heating devices in the Juneau Mendenhall Valley;
3. establish air quality increments for oxides of nitrogen;
4. reduce the visible emission standard for marine vessels from 40 percent to 20 percent opacity;
5. change the incinerator permit size threshold from 1000 lb/hr charging rate for an individual incinerator to 1000 lb/hr on the basis of facility-wide capacity;
6. establish a permit program that will allow new and modified major carbon monoxide-emitting facilities to be constructed in Anchorage and Fairbanks

without disrupting progress towards attaining compliance with the ambient air quality standards for carbon monoxide;

7. establish a new air episode category called "air quality advisory";

8. restrict wood stove operation during an air quality advisory and an air emergency;

9. require a public notice and 30-day public comment period for all new Air Quality Control Permits issued under 18 AAC 50.

10. specify minimum requirements on quality assurance and quality control for ambient monitoring programs; and

11. clarify certain permit requirements and procedures, especially issues pertaining to the definition and application of "actual" and "allowable" emissions.

EPA approves the following amendments to 18 AAC 50, Air Quality Control Regulations, from the submission by ADEC dated October 15, 1991 for inclusion into the Alaska SIP.

Article 1. Program Standards and Limitations

Sections 020(a)(1) and 020(b), Ambient Air Quality Standards, are revised to establish State ambient air quality standards and Prevention of Significant Deterioration increments which are as stringent as the Federal standards.

Section 085, Wood-fired heating devices, is revised to establish elements of the PM-10 control strategy which meet the criteria set forth by EPA to assure attainment and maintenance of the PM-10 NAAQS.

Section 100, Marine vessels, is revised to establish lower emission standards that apply to all marine vessels within three miles of the coastline of Alaska in order to reduce visibility problems encountered in Alaska that are associated with marine vessels.

Article 2. Permit Requirements

Section 300(a)(3) is amended to require permits for incinerators having a total combined rated capacity of 1,000 pounds per hour or more.

Section 300(a)(5), (6) and (8), Permit to Operate, are revised by making numerous editorial changes for clarity.

Section 300(a)(7), Permit to Operate, is revised by adding a requirement for a permit to operate for facilities that provide emission offsets.

Section 300(a)(9), Permit to Operate, is revised by adding a new provision which requires a permit to operate for facilities located within ten kilometers of a nonattainment area, which have been installed or modified after the