

effective date of the regulation change and have an allowable emission increase of 100 tons per year of the nonattainment air contaminant.

Section 300(d), Permit to Operate, is revised by changing the requirements for new and modified major sources in nonattainment areas to require emission offsets in lieu of using a growth allowance.

Sections 300(e) and 300(g), Permit to Operate, are revised by making a number of editorial changes for clarity.

Section 300, Permit to Operate, is revised by adding a new paragraph (h) which sets the requirements for sources required to have a permit under the new Section 300(a)(9).

### Article 3. Permit Review Criteria

Section 400(a), Application Review and Issuance of Permit to Operate, is revised to require public notice of all applications of facilities requiring a new Air Quality Control Permit to Operate and for certain renewals.

Sections 400 (b), (c), and (d), Application Review and Issuance of Permit to Operate, are revised by making a number of editorial changes for clarity.

Section 400(c), Application Review and Issuance of Permit to Operate, is revised by adding provisions for emission offsets in lieu of an emissions allowance for new or modified major sources located in a nonattainment area.

### Article 4. Regulation Compliance Criteria

Section 510, Ambient Analysis Methods, is revised to clarify the approved ambient monitoring procedures and quality assurance requirements.

Section 520, Air Quality Monitoring, is revised by making several editorial changes.

### Article 5. Procedure and Administration

Section 610, Air Episodes and Advisories, is revised by changing the indicator for particulate matter from TSP to PM-10, lowering the concentrations for declaring an air alert, warning, or emergency, and adding a provision allowing ADEC to declare an air advisory and to request voluntary emission curtailments from operators of air contaminant sources.

Section 620, Air Quality Control Plan, is revised to reflect the date for new revisions to Volumes II and III of the Air Quality Control Plan.

### Article 6. General Provisions

Section 900, Definitions, is amended by revising the current definitions of the terms "actual emissions," "baseline concentration," "baseline date," "regulated air pollutant," "wood smoke control area," and "fugitive emissions," and adding new definitions of the terms "approved," "nonattainment air contaminant," "particulate matter emissions," "PM-10," "PM-10 emissions," and "total suspended particulate matter."

The above amendments to regulations and the State Air Quality Control Plan comply with EPA's regulations for control strategies to attain and maintain the NAAQS for particulate matter and for permits to construct pursuant to Parts C and D of the Act.

#### B. Amendments To Delete Obsolete Code of Federal Regulations (CFR) Sections

In an earlier package submitted to EPA on July 17, 1990, ADEC submitted a request to correct findings of Alaska's SIP deficiency in 40 CFR 52, Sections 52.73-96. ADEC identified and explained why several of those sections were now obsolete (dating back to 1973) and how they had been remedied by changes to Alaska's statutes and regulations. ADEC also submitted the applicable Alaska statutes (Title 46, Water, Air, Energy, and Environmental Conservation) to support their request for corrections. The sections are all identified below. At this time, EPA is making the following changes:

Section 52.74(a)(1), Cook Inlet. Delete. The Cook Inlet Air Resources Management District has not existed for over a decade. Deficiencies related to permitting authority attributed to Cook Inlet Air Resources Management District do not exist.

Section 52.74(a)(2), Fairbanks North Star Borough (FNSB). Delete. The Memorandum of Understanding between ADEC and FNSB gives the borough responsibility only for permitting open burns of less than 40 acres; monitoring and air quality forecasting; attainment planning; and motor vehicle inspection and maintenance. It does not include responsibilities for recordkeeping, monitoring requirements, and public availability of stationary source data. Therefore, deficiency findings in those areas are moot.

Regarding emergency abatement, the CFR refers to Ordinance 45.05.100, which is found to be deficient because it only refers to generalized conditions of air pollution. FNSB Ordinance 8.05.010-050, which gives the borough

adequate authority, was accepted into the SIP in the May 26, 1989 **Federal Register**. FNSB Ordinance 8.04.071 provides adequate authority for injunctions. Therefore, § 52.74(a)(2)(i) on injunctions, and (v) on episode abatement may be deleted.

Section 52.74(a)(2)(vi), Legal Authority. Delete. The Fairbanks Inspection and Maintenance Program was accepted as fulfilling the transportation control requirement.

Section 52.74(b), Legal Authority. Delete. This finding of deficiency for lack of authority to prevent operation or construction which may result in violation of ambient air quality standards is satisfied by 18 AAC 50.300 and 18 AAC 50.400. These sections define criteria for permit issuance, and prevent operation or construction without a permit.

Section 52.74(c), Legal Authority. Delete. This subsection disapproves Alaska Statute (AS) 46.03.180 for not meeting the requirement for disclosure of emissions data. However, AS 46.03.180 allows confidentiality only for some "Records and Information, other than emission data." Therefore, the legal authority to provide for public availability of emission data is adequate, and this deficiency determination may be deleted.

Section 52.73 (a) and (b), General Requirements. Delete. These are simply remedies to the deficiencies identified above in § 52.74 and, since the legal authority to provide for public availability of emission data is adequate, these remedies may be deleted.

Section 52.78, Review of new sources and modifications. EPA defers action on this section, which establishes a plan for review of new or modified indirect sources, to a later date when a subsequent **Federal Register** action will address the revisions to the Carbon Monoxide SIP submitted March 24, 1994 by ADEC.

Section 52.80, Intergovernmental cooperation. Delete. This subsection refers to lack of clear delineation of responsibilities between state and local agencies. This has been addressed in memoranda of understanding between ADEC and the municipalities of Anchorage and Fairbanks which define responsibilities. In addition, emergency avoidance plans are described in the Alaska State Air Quality Control Plan.

Section 52.81, Attainment dates for national standards, and

Section 52.82, Extensions. No action to be taken at this time. The information contained in these two sections, pertaining to historical attainment dates and status data, will be updated at a later time.