

# ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION



## **18 AAC 50 AIR QUALITY CONTROL**

Response to Comments September 18, 2023, Proposed Annual Affirmation and Annual Operating Report Electronic Compliance Forms for Air Online Services

September 18, 2023

## **Introduction**

This document provides the Alaska Department of Environmental Conservation's (DEC) response to public comments received regarding the June 5, 2023, notification of the electronic availability of the Annual Operating Report and Annual Affirmation compliance forms through DEC's Air Online Services (AOS) webpage. The Annual Operating Report Form is applicable to Permittees with a stationary source operating under an Owner Request Limit (ORL) under 18 AAC 50.225. The Annual Affirmation Form is applicable to Permittees with a stationary source operating under a minor source specific permit (MSS) or a Minor General Permit 2 (MG2) for portable oil and gas operations on the North Slope. In accordance with Title 18, Chapter 50.270 of the Alaska Administrative Code, the electronic submission requirements include a public review and comment period for the forms before they are made part of the electronic reporting requirements.

The details describing the proposed regulation changes were presented in DEC's public notice dated June 5, 2023. DEC received comments via SmartComment from the following:

- Kaley Volper, AECOM
- Amy Kearns, US Air Force
- Amy Kearns, US Air Force
- Catherine Bollinger, Petro Star Inc.

This document responds to the received comments.

## **Opportunities for Public Comment**

The public notice dated June 5, 2023, provided information on the opportunities for the public to submit comments. The deadline to submit comments was August 25, 2023, at 11:59 p.m. This provided an 82-day period for the public to review the proposed electronic compliance forms and submit comments.

Opportunities to submit written comments included submitting electronic comments using DEC's electronic SmartComment system, submitting electronic comments via email, submitting written comments via facsimile, and submitting written comments via email.

## Comments on Annual Operating Report and Annual Affirmation Compliance Forms being electronically available through ADEC's Air Online Services (AOS) webpage.

Comments: Kaley Volper

For the Annual Affirmation report form, I suggest removing the -1-Period Start Date-1- and -1-Period End Date-1- fields because the annual affirmation is simply a statement that the stationary source is still accurately described by the permit/application and is not tied to a particular time period or calendar year.

For the Annual Affirmation report form, I don't think it is necessary to require an attachment. It would be more user-friendly to allow the affirmation statement to be entered into a text box

Response: Due to the permit requirement of annual submission of the Annual Affirmation the period start, an end date is needed for DEC staff to ensure compliance.

For the second comment, it has been brought to the attention of DEC IT staff that it would be useful to put the statement in the text box; however, due to lack of resources DEC cannot incorporate the suggestion. Therefore, attachment of the annual affirmation as pdf file will need to be submitted until DEC IT services can be provided.

Comments: Amy Kearns

Request signature and certification of the annual affirmation and annual operating reports by the responsible official within the Air Online Services (AOS), Permittee Portal to be an option rather than a requirement.

Request submittal of signed and certified reports via DEC.AQ.Airreports@alaska.gov email address remain an option. Propose ADEC provide the additional option for permittees to upload signed and certified reports into their AOS Permittee Portal account directly as an alternative. This additional, alternative option provides maximum flexibility on the part of the permittee, achieves the same objective for electronic reporting, and removes some of the burden off of ADEC with respect to maintaining electronic records.

Response: Submittal or the partial submittal of the Annual Affirmation and the Annual Operating Report forms through AOS can be done. Partial submittal as the commentor mentioned above is acceptable to DEC. Notification of compliance forms that have been "printed" and wet signed and are submitted through email ([DEC.AQ.Airreports@alaska.gov](mailto:DEC.AQ.Airreports@alaska.gov)) is also acceptable.

Comments: Amy Kearns

Performed test on proposed annual operating report in the permittee portal for the JBER Hospital Plant ORL (AQ0885ORL01P). Validated functionality of date fields, notes field, and successfully uploaded an attachment. Verified the "Save" radio button was functional when the message "Save Successfully Initiated" appeared at top of the page. Could not validate

functionality of the "Print Draft" and "Print Document" radio buttons. A new window did not open when those radio buttons were selected as indicated.

Performed same functionality test for the annual affirmation report test for AQ1170MSS01P with same results. A PDF of the saved, draft annual affirmation report has been attached to comment.

Response: The inability to validate Print Draft and Print Document buttons is due to the lack of a testing database connection to the “new” compliance forms’ “Print Draft” and “Print Document” buttons. Both buttons are used throughout the existing AOS compliance forms (for example the Facility Operating form). Once Annual Affirmation and Annual Operating Report are officially available for permittees to use; the Print Draft and Print Document buttons will be functional.

Comment: Catherine Bollinger

The annual affirmation report could be modified so that it is a simple checkbox form online so that we won't have to keep creating a paper document to be uploaded in the system (see attachment for example).

*Attachment:*

Annual Affirmation of Classification In accordance with 18 ACC 50.205, the current permit [enter permit#] accurately describes the stationary source and no changes have been made that would trigger the requirement to obtain a new permit.

- Yes
- No (Provide an explanation)

“Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.”

Response: The comment has been brought to the attention of DEC IT staff, but due to lack of resources DEC cannot currently incorporate the suggestion at this time. When DEC IT resources allow, we will revisit the suggested modification.