

## Attachment A - Comparison of Current Clean Air Code to Proposed Code

Current Code Citation	Proposed New Code Citation	Explanation
15.30.010 Short title of chapter.	15.30.010 Short title of chapter.	Changes title from "South Central Clean Air Ordinance" to "Clean Air"
15.30.020 South Central Clean Air Authority.	Deleted	South Central Clean Air Authority is defunct.
15.30.030 Definitions.	15.30.020 Definitions	Minor changes in some definitions; some unneeded definitions deleted; added definitions of dry wood and fugitive emissions. Definitions from Chapter 15.35.040 and 15.23.140 are now included in this sub-section.
15.30.035 South Central Clean Air Authority commission.	Deleted	South Central Clean Air Authority is defunct.
15.30.040 Director.	Deleted	South Central Clean Air Authority is defunct.
15.30.050 Air pollution inspections.	15.30.150 Air pollution inspections; right to entry	Clarifies process for obtaining an administrative search warrant.
15.30.060 Air pollution episodes.	15.30.030 Air pollution episodes.	Updates air pollution levels for which (1) alerts, (2) warnings and (3) emergencies are declared so they correspond with EPA designations for air that is (1) "unhealthy for sensitive groups", (2) "very unhealthy", and (3) "hazardous".
15.30.070 Confidentiality of records.	Deleted	Not necessary. Because the municipality will no longer be issuing air permits for facilities, confidential production data from facilities will not be collected or retained.
15.30.080 Limitations.	Deleted	Municipal Attorney advises this section is unnecessary.
15.30.090 Compliance with federal and state law.	Deleted	Municipal Attorney advises this section is unnecessary.
15.30.100 Registration of air contaminant sources; notification of completion.	Deleted	Alaska Department of Environmental Conservation (ADEC) has assumed responsibility for air permitting within the Municipality. Source registration with the Municipality is therefore largely redundant.

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15.30.110 Permit to operate air contaminant source.	Deleted	ADEC has assumed responsibility for air permitting within the Municipality. Source permitting with the Municipality is therefore largely redundant.
15.30.120 Source reports.	Deleted	ADEC has assumed responsibility for air permitting within the Municipality. Source reporting would be a permit requirement under ADEC purview.
15.30.130 Source tests.	Deleted	ADEC has assumed responsibility for air permitting within the Municipality. When required, source testing is stipulated by a permit a condition.
15.30.140 Variance criteria.	15.30.140 Variance criteria.	No change other than re-numbering.
15.30.150 Judicial review of action on variance.	Deleted	Not necessary; another chapter of the current code (AMC 15.05.110) directs appeals of adverse decisions by the director to Superior Court. This applies to all of Title 15.
15.30.160 Other limitations (Repealed).	N/A	This provision was repealed many years ago.
15.30.170 Rule-making procedures (Repealed).	N/A	This provision was repealed many years ago.
15.30.180 Notice of violation.	15.30.160 Enforcement actions and appeal procedures	Procedures for enforcement have been modified slightly to be consistent with those in other parts of Title 15.
15.30.190 Effect of compliance order.	15.30.160 Enforcement actions and appeal procedures	Procedures for compliance orders have been modified slightly to be consistent with those in other parts of Title 15.
15.30.200 Voluntary compliance.	Deleted	Municipal Attorney advises this section is unnecessary.

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15.30.210 Administrative hearings.	Deleted.	Not necessary; another chapter of the code (AMC 15.05.090) already provides for an administrative hearing for a person aggrieved by decision to deny, revoke a permit (e.g., denial of an open burning permit). Appeals of enforcement actions and compliance orders are heard by the municipal administrative hearing officer in accordance with Title 14.
15.30.220 Appeals.	Deleted	Not necessary; another chapter of the code (AMC 15.05.110) directs appeals of adverse decisions by the director to Superior Court. This applies to all of Title 15.
15.30.230 Enforcement.	15.30.170 Injunctive relief	Section is renumbered and title is changed from "Enforcement" to "Injunctive relief." No other change.
15.35.010 Adoption of regulations.	Deleted	Municipal Attorney advises this section is unnecessary.
15.35.020 Availability of copies.	Deleted	Municipal Attorney advises this section is unnecessary.
15.35.030 Stationary source emissions--Short title.	Deleted	This section simply names a sub-chapter of the code; Municipal Attorney advises this section is unnecessary.
15.35.040 Stationary source emissions--General definitions.	AMC 15.30.020	Necessary definitions from AMC 15.35.040 have been moved to AMC 15.30.020. Some definitions have been modified slightly. Some unnecessary definitions have been deleted.
15.35.050 Stationary source emissions--Visible emission standards.	AMC 15.30.040 Visible Emission Standards	This section remains largely the same under the proposed code revisions except that wood stoves and fireplaces would now have to meet the same 20% opacity limit already required for wood-fired boilers. The section will not apply to facilities permitted by DEC or EPA as they will fall under state or federal requirements for stationary source emissions.
15.35.060 Stationary source emissions--Emission standards.	Deleted	ADEC has emission standards in their regulations; the emission standards in the current municipal code are outdated and redundant and therefore unnecessary.

<b>Current Code Citation</b>	<b>Proposed New Code Citation</b>	<b>Explanation</b>
15.35.070 Stationary source emissions--Other emission limitations.	AMC 15.30.050 Other emission limitations	No change other than re-numbering and slight change in section title.
15.35.080 Stationary source emissions--Circumvention.	15.30.070 Circumvention.	No change other than re-numbering and slight change in section title.
15.35.090 Stationary source emissions--Fugitive emissions.	15.30.060 Fugitive emissions.	No change other than re-numbering and slight change in section title.
15.35.100 Stationary source emissions--Open burning.	15.30.080 Open burning.	This section eliminates household burning of refuse and the open burning of brush, grass, and other organic debris while allowing for open burn permits for destruction of timber infested with insect, disease or for other emergency situations.
15.35.105 Stationary source emissions--Wood-fired boilers.	5.30.090 Wood-fired boilers	No change other than re-numbering and slight change in section title. Includes "dry" in clean wood reference for clarity.
15.35.110 Mobile source emissions--Short title.	Deleted	This section simply names a sub-chapter of the code; Municipal Attorney advises this section is unnecessary.
15.35.120 Mobile source emissions-Application.	Deleted	Municipal Attorney advises this section is unnecessary.
15.35.130 Mobile source emissions-Definitions.	Deleted	Definitions from AMC 15.35.130 have been moved to AMC 15.30.020 with other definitions. No other change.
15.35.140 Motor vehicle emissions.	15.30.100 Motor vehicle emissions.	No change other than re-numbering.
15.35.150 Motor vehicle fleet operation.	15.30.110 Motor vehicle fleet operation.	No change other than re-numbering.
15.35.160 Motor vehicle inspection.	15.30.120 Motor vehicle inspection.	No change other than re-numbering.
15.35.170 Motor vehicle owner liability.	15.30.130 Motor vehicle owner liability.	No change other than re-numbering.