

CLEAN AIR ACT

The Clean Air Act establishes a requirement that projects be consistent with a “State Implementation Plan” (SIP), which is developed by a State to determine how the national standards for air quality will be achieved and maintained. As part of the Environmental Assessment, a review of the project for conformance with the State Implementation Plan may be required pursuant to 40 CFR 51, Subpart W – Determining Conformity of General Federal Actions to State or Federal Implementation Plans. Pursuant to these regulations, if the total direct and indirect emission of any pollutant from the project is anticipated to equal or exceed specified threshold levels a conformity analysis must be conducted. For projects in non-attainment areas, contact the local Department of Environmental Conservation for assistance in determining conformity review requirements.

Threshold for Review: Properties proposed for new construction, conversion, major or substantial rehabilitation, and the acquisition of undeveloped land.

Level of Concurrence Required:

- 1) A determination that the proposed sites/projects are located within an “**attainment area**” or if located within a “**non-attainment area**”** the project conforms with the EPA-approved State Implementation Plan (SIP), per contact with the State Air Quality Management District.
- 2) Negotiate suitable mitigation measures with the Air Quality Management District.

Basic Steps to Obtain Concurrence:

Determine if the proposed sites/projects are located in an “**attainment area**” by reviewing the EPA Non-attainment Designation Map and the EPA USA Air Quality Non-attainment Area spreadsheet (See Appendices). Prepare a determination that the proposed site/project is located in an “**attainment area**” and include it and documentation supporting the determination in the ERR file.

If the proposed site/project is located in a “**non-attainment area**”, you should contact the State Air Quality Management Office to determine if the proposed site/project is in compliance with the State Implementation Plan. If in compliance: Prepare a determination that the proposed site/project is in compliance with the State Implementation Plan and include it and verification of the State Air Quality Management Office concurrence in the ERR file.

If the proposed site/project is determined not in compliance with the State Implementation Plan, you need to coordinate with the State Air Quality Management Office to develop mitigation measures to bring the proposed site/project into compliance. When the mitigation process is completed: Prepare a determination that the proposed site/project is in compliance with the State Implementation Plan and include it and verification of the State Air Quality Management Office concurrence in the ERR file.

Information on compliance with the state Implementation Plan and State Air Quality Management can be found on the Internet at the following address:

Environmental Protection Agency: <http://www.epa.gov/>

Point of Contact: Alice Edwards, Division of Air Quality
Department of Environmental Conservation
410 Willoughby Ave. Suite 303
Juneau, AK 99801-1795
Telephone: (907) 465-5109
Fax Number: (907) 465-5129