

Alaska Department of Environmental Conservation



Amendments to: State Air Quality Control Plan

Vol. II: Appendix III.D.7.13

**{Appendix to Volume II. Analysis of Problems, Control Actions;
Section III. Area-wide Pollutant Control Program; D. Particulate
Matter; 7. Fairbanks North Star Borough PM_{2.5} Control Plan,
Serious Requirements}**

Adopted

November 19, 2019

**Michael J. Dunleavy
Governor**

**Jason W. Brune
Commissioner**

(This page serves as a placeholder for two-sided copying)

Appendix III.D.7.13

Contents

Fairbanks North Star Borough Code of Ordinances Related to the Air Pollution Control Program

- Chapter 21.24 Vehicle Plug-In Program
- Chapter 21.28 PM2.5 Air Quality Control Program

Title 21

HEALTH AND SAFETY Revised 2/19 Revised 4/19

Chapter 21.24

VEHICLE PLUG-IN PROGRAM

Sections:

21.24.010 Vehicle plug-in program.

21.24.010 Vehicle plug-in program.

A. Parking Lot Owner Responsibilities. Between November 1st of each year and March 31st of the subsequent year, each employer or business with a total of 275 or more parking spaces with outlets within the borough maintenance area shall supply electricity to outlets located in its parking lots for use by motorists in plugging in vehicles equipped with engine heaters. Electricity shall be supplied on days when temperatures fall below 21 degrees Fahrenheit, as measured by the National Weather Service at the Fairbanks International Airport.

1. Power Cycling. Power to parking lots may be cycled on and off every other hour during days when temperatures fall below the 21 degrees Fahrenheit threshold to conserve electricity use.
2. Record Keeping. Each employer or business subject to subsection (A) of this section shall maintain a logbook that documents the days on which power is supplied to electrical outlets located in its parking lots. Notations of special circumstances that prevent the supply of electricity to outlets shall be included. The logbooks shall be maintained for a five-year period and be available for inspection upon borough request.
3. New Parking Lots.
 - a. Employers and businesses subject to subsection (A) of this section shall provide outlets for any new parking spaces intended for use by a motorist for longer than two hours.
 - b. Notwithstanding subsection (A) of this section, an employer or business shall provide outlets for new parking spaces when such spaces increase its number of spaces intended for use by a motorist for longer than two hours to 275 or more. The employer or business shall supply electricity to such outlets on days when temperatures fall below 21 degrees Fahrenheit, as measured by the National Weather Service at the Fairbanks International Airport in accordance with this chapter.
4. Maintenance of Outlets. Each employer or business subject to subsection (A) of this section shall maintain the electrical outlets in operable condition. No employer or business subject to subsection (A) of this section shall decrease the number of parking spaces with outlets without prior approval of the I/M program administrator.

B. Implementing Policies and Procedures. Within six months of the effective date of the ordinance codified in this chapter, the borough shall develop administrative policies and procedures for implementing and enforcing this program.

C. Penalties for Violation.

1. The borough may institute a civil action against an employer or business that violates a provision of this chapter. In addition to injunctive and compensatory relief, the borough may obtain a civil penalty not to exceed \$1,000 for each violation. The borough may bring an action to enjoin a violation or to recover a civil penalty notwithstanding the availability of any other remedy.
2. Each day that a violation of this chapter continues constitutes a separate violation.

D. Definitions.

“Employer” or “business” means all private and public sector entities, including state, local and federal agencies, departments, offices, boards, commissions, corporations and political subdivisions or other organizational units, including the University of Alaska and school district. The total number of parking spaces includes all agencies, divisions, subsidiaries and locations of the employer or business within the borough maintenance area.

“Maintenance area” means the area located within the borough that is set out and described by federal law (40 CFR 81.302) but excluding the city of North Pole. (Ord. 2004-61 § 3, 2004; Ord. 2001-17 § 3, 2001. 2004 Code § 8.20.010.)

Title 21

HEALTH AND SAFETY Revised 2/19 Revised 4/19

Chapter 21.28

PM2.5 AIR QUALITY CONTROL PROGRAM Revised 2/19

Sections:

21.28.040 Enhanced voluntary removal, replacement and repair program. Revised 2/19

21.28.040 Enhanced voluntary removal, replacement and repair program. Revised 2/19

The Fairbanks North Star Borough shall, to the extent funds are available and appropriated by the assembly, offer an enhanced removal, replacement and repair program to help offset the costs of removing, replacing or repairing a solid fuel burning appliance (SFBA) or fireplace. This program shall be subject to the following eligibility requirements, conditions, and criteria:

A. General Requirements.

1. Application. An application approved by the division and signed by all property owner(s) must be submitted along with any documentation required by the division. Applications for either the removal of a solid fuel burning appliance (SFBA), or replacement of a SFBA with an emergency power system, or an appliance designed to use natural gas, propane, or home heating oil, electricity, or hot water district heat shall include a signed recordable document restricting future installations of SFBAs and requiring appropriate notice to purchasers in the seller's disclosure statement if required by the terms and conditions of the funding source. Applicants must fully comply with the division's inspection process which shall verify the existence of a qualifying SFBA.
2. Priority Ranking. Applications may be prioritized and may be limited by the division in its discretion based on geographical location, the overall air quality benefit and the type of SFBA or fireplace being removed, replaced or repaired.
3. Eligibility. The program is limited to properties within the air quality control zone boundary in which a qualifying SFBA or fireplace is installed. If an application is approved for the program, the applicant will be given up to 90 days to meet all of the requirements. Applicants must have no delinquent property tax or penalty or interest owing at the time of application and at completion of the program requirements.
4. Additional Requirements. In addition to the general requirements set forth in this section, applicants must also meet the following requirements:
 - a. Fully comply with the inspection process required by the division that shall ensure that the existence of the qualifying appliance to be removed, replaced or repaired is properly documented.
 - b. Removal of appliance.
 - c. Delivery of appliance to an authorized decommission station.
 - d. Certificate of destruction delivered to the division, if applicable.
 - e. Final installation of a qualified appliance visually verified.
 - f. The qualified appliance must be properly installed by a borough-listed installer attesting to proper installation of the device based on manufacturer's installation manual, compliance with any building code requirements, and that the device is properly sized for the building in question.

- g. The applicant will be required to demonstrate proper wood storage, if applicable.
 - h. The applicant will be required to complete training with the vendor, ensuring that they understand how their particular device operates, including education on proper wood burning techniques, if applicable.
 - i. All aspects of this section may be performed by borough-approved personnel or a borough-approved vendor.
5. Payments. Applicants will be eligible for reimbursements or, at the option of the applicant, payment may be made directly to a borough-approved vendor. Reimbursements and payments shall be available as follows:
- a. Replacement of a hydronic heater:
 - i. With either an EPA certified wood or pellet stove with an emission rate less than or equal to two grams of PM_{2.5} per hour, or an EPA certified pellet burning hydronic heater with an emission rate equal to or less than 0.1 pounds per million BTU, or an emergency power system, up to \$10,000 for purchase and installation of the new appliance.
 - ii. With an appliance designed to use home heating oil (excluding waste or used oil) or a masonry heater (including parts, labor and any costs associated with upgrading the chimney to the extent required by the manufacturer of the appliance for proper installation), up to \$12,000 per eligible hydronic heater replaced for purchase and installation of the new appliance.
 - iii. With an appliance designed to use natural gas, propane, hot water district heat, or electricity, up to \$14,000 per eligible hydronic heater replaced for purchase and installation of the new appliance.
 - b. Replacement of a non-borough-listed SFBA:
 - i. With either an EPA certified wood stove, or fireplace insert that has an emission rate less than or equal to two grams of PM_{2.5} per hour, or in the case of an EPA certified wood stove, PM_{2.5} emissions must be reduced by 50 percent and emit two grams of PM_{2.5} per hour or less, up to \$4,000 for purchase and installation of the new appliance.
 - ii. With an EPA certified pellet stove that has an emission rate less than or equal to two grams of PM_{2.5} per hour, up to \$5,000 for purchase and installation of the new appliance.
 - iii. With an appliance designed to use home heating oil (excluding waste oil), hot water district heat, electricity, or a masonry heater (including parts, labor and any costs associated with upgrading the chimney to the extent required by the manufacturer of the appliance for proper installation), or an emergency power system, up to \$6,000 per eligible non-borough-listed SFBA replaced for the for the purchase and installation or the new appliance.
 - iv. With an appliance designed to use natural gas or propane, up to \$10,000 per eligible non-borough-listed SFBA replaced for the purchase and installation of the new appliance.
 - c. Replacement of a borough-listed SFBA:
 - i. With an appliance designed to use home heating oil (excluding waste oil), hot water district heat, electricity or an emergency power system, up to \$6000 per eligible borough-listed SFBA replaced for the purchase and installation of the new appliance.
 - ii. With an appliance designed to use natural gas or propane, up to \$10,000 per eligible borough-listed SFBA replaced for the purchase and installation of the new appliance.
 - d. Up to a maximum of three solid fuel burning appliances or fireplaces, or combinations thereof, may be replaced with a single non-solid fuel heating device or emergency power system that meets the requirements above. The reimbursement schedule for each individual device being replaced will be

combined to determine the maximum possible final reimbursement amount, with final reimbursement not to exceed the actual purchase and installation cost of the new appliance.

e. Removal of a SFBA (limited to a one-time participation in this program per property).

i. Removal of a hydronic heater through a one-time payment of \$5,000.

ii. Removal of other SFBAs through a one-time payment of \$2,000.

f. Repair Program.

i. The repair program will pay for the:

(A) Replacement of a wood stove's catalytic converter that has exceeded its life span through the one-time payment of up to \$750.00.

(B) Replacement of any emissions-reducing component of an EPA certified wood stove up to the maximum amount of \$750.00.

ii. In addition to the general requirements set forth in this section, applicants must fully comply with any inspection process required by the division, which may be performed by a borough-approved vendor. (Ord. 2019-02 § 2, 2019; Ord. 2018-45 § 2, 2018; Ord. 2017-44 § 4, 2017; Ord. 2017-18 § 5, 2017; Ord. 2015-73 §§ 6 – 8, 2016; Ord. 2015-18 § 2, 2015; Ord. 2014-10 § 3, 2014. 2004 Code § 8.21.035.)