

JUN 29 2010



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



June 28, 2010

Mr. John Walstad
Code Revisor
North Dakota Legislative Council
State Capital
600 E Boulevard Avenue, 2nd Floor
Bismarck, ND 58505-0360

Dear Mr. Walstad:

The Department of Health is currently in the process of revising the North Dakota Air Pollution Control Rules (NDAC 33-15). Enclosed are the following items:

1. Copy of the proposed rules.
 - Chapter 33-15-01 - General Provisions
 - Chapter 33-15-02 - Ambient Air Quality Standards
 - Chapter 33-15-12 - Standards of Performance for New Stationary Sources
 - Chapter 33-15-13 - Emission Standards for Hazardous Air Pollutants
 - Chapter 33-15-14 - Designated Air Contaminant Sources, Permit to Construct, Minor Source Permit to Operate, Title V Permit to Operate
 - Chapter 33-15-15 - Prevention of Significant Deterioration of Air Quality
 - Chapter 33-15-21 - Acid Rain Program
 - Chapter 33-15-22 - Emission Standards for Hazardous Air Pollutants for Source Categories
2. The full and abbreviated Notice of Intent to Amend Administrative Rules.

If you have any questions, please contact Tom Bachman of my staff at 85188.

Sincerely,

A handwritten signature in blue ink that reads "Terry O'Clair".

Terry L. O'Clair, P.E.
Director
Division of Air Quality

TLO/TB:saj
Enc:

Environmental Health
Section Chief's Office
701.328.5150

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5166

Division of
Water Quality
701.328.5210

Abbreviated Notice of Intent to Adopt
and Amend Administrative Rules Relating
to Air Pollution Control
North Dakota Department of Health
and Air Pollution Control Advisory Council

will hold a public hearing to address proposed changes to the N.D. Admin. Code Article 33-15 and the State Implementation Plan (SIP) for the control of air pollution.

4th Floor Conference Rm.
Gold Seal Center
918 E Divide Ave.
Bismarck, ND
Thurs., Aug. 19, 2010
9:00 a.m. CDT

A copy of the proposed rules may be viewed at the Department's website at: www.ndhealth.gov/EHS/PublicNotices.aspx. A copy of the proposed rules may be obtained by writing to the North Dakota Department of Health, Division of Air Quality, 918 E Divide Avenue, 2nd Floor, Bismarck, ND 58501-1947 or calling (701)328-5188. Written comments may be submitted to the above-address from July 27, 2010 through August 30, 2010. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department of Health at the above-address at least seven days prior to the public hearing.

Dated this 28th day of June 2010.

Terry L. O'Clair, P.E.
Director, Division of
Air Quality

Full Notice of Intent to Adopt
and Amend Administrative Rules Relating
to Air Pollution Control
North Dakota Department of Health
and Air Pollution Control Advisory Council

will hold a public hearing to address proposed changes to the N.D. Admin. Code Article 33-15 and the State Implementation Plan (SIP) for the control of air pollution.

4th Floor Conference Rm.
Gold Seal Center
918 E Divide Ave.
Bismarck, ND
Thurs., Aug. 19, 2010
9:00 a.m. CDT

The purpose of the proposed rules and amendments is to implement requirements under the Federal Clean Air Act. The proposed rules will adopt changes to the ambient air quality standards, the New Source Performance Standards, Prevention of Significant Deterioration (PSD) requirements, Title V Permit to Operate rules, the National Emission Standards for Hazardous Air Pollutants for source categories and Permit to Construct rules. Other minor technical corrections to the rules are proposed. The rule changes are expected to have an impact on the regulated community in excess of fifty thousand dollars.

A copy of the proposed rules and a regulatory analysis may be viewed at the Department's website at: www.ndheath.gov/EHS/PublicNotices.aspx. A copy of the proposed rules and and regulatory analysis may be obtained by writing to the North Dakota Department of Health, Division of Air Quality, 918 E Divide Avenue, 2nd Floor, Bismarck, ND 58501-1947 or calling (701)328-5188. Written comments may be submitted to the above-address from July 27, 2010 through August 30, 2010. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department of Health at the above-address at least seven days prior to the public hearing.

Dated this 28th day of June 2010 .

Terry L. O'Clair, P.E.
Director, Division of
Air Quality