

Fund Source Report

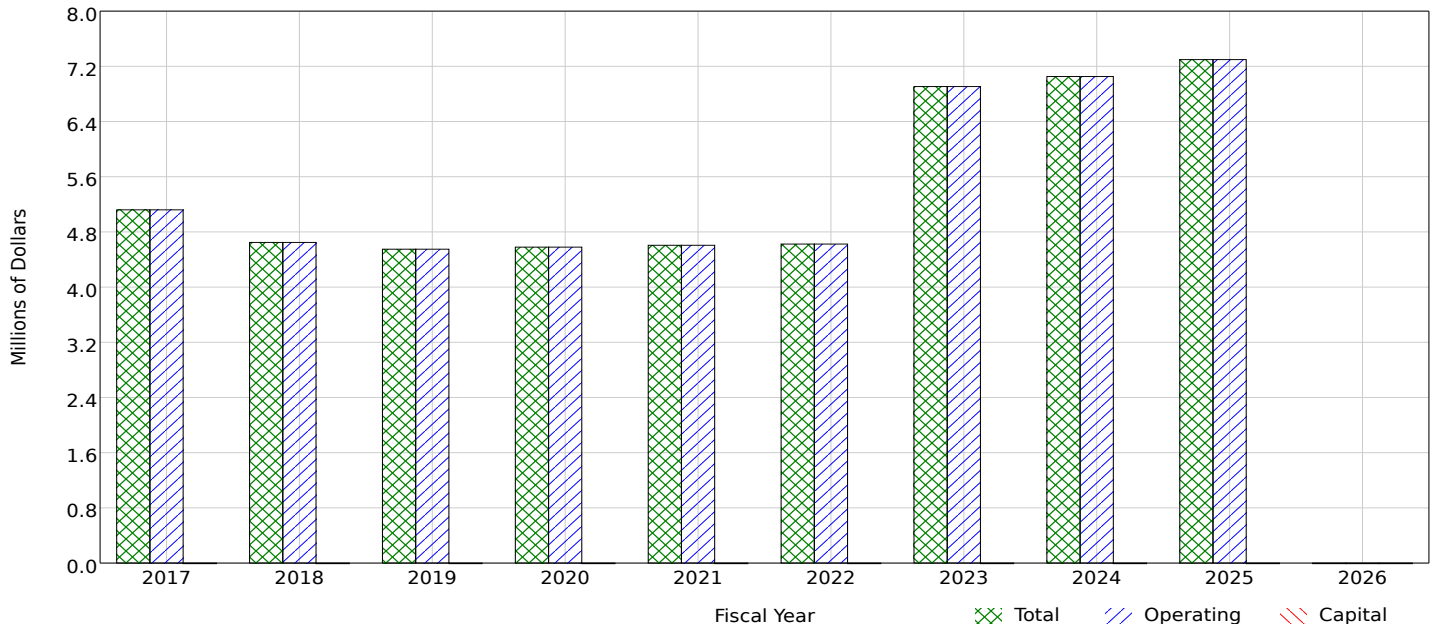
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Clean Air

Clean Air Protection Fund

Year Authorized 1993 Year Repealed Active? Yes Mental Health? No Duplicated? No Fund Group Other Designated

Operating and Capital Appropriations



Legal Authority

AS 46.14.260, AS 37.05.146(c)(16)

Source of Revenue

Consists of fees collected by the state for participation in the federal emission control permit program.

Restrictions on Use

Money in the fund may be used only to cover the reasonable direct and indirect costs required to support the emissions control permit program and to support the activities of the small business assistance program directed at facilities subject to emissions control. Money may not be spent on court costs (or other costs) associated with enforcement action.

Description and History

Chapter 74, SLA 1993 established the Clean Air Protection Fund as required by the Clean Air Act for state participation in the federal emission control permit program.

The Department of Environmental Conservation (DEC) must be accountable on matters relating to recovery of program costs, and ensure the productivity of the state's businesses while protecting the health and welfare of the state's residents as it implements the requirements of the federal Act.

DEC is required to collect permit fees under the Clean Air Act and is permitted by federal regulations to spend receipts solely to cover reasonable direct and indirect costs required to support the permit program. Fines or other receipts as a result of violations are required to be deposited in the general fund.

The fund does not retain its own interest earnings, but may be eligible to do so.

In 1995, Alaska requested delegation of powers to implement and enforce federal clean air regulations. The request was approved effective December 1996.

October 2010

Because the fund is required by federal law and is restricted to purposes specified by federal law, the fund is classified as dedicated.