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**Revision to  
Georgia's State Implementation Plan  
To Incorporate The Requirements of  
Clean Air Act Section 110(a)(2)(D)(i)  
For 8-hour Ozone and PM2.5  
National Ambient Air Quality Standards**



**State of Georgia  
Department of Natural Resources  
Environmental Protection Division  
Air Protection Branch**

**December 4, 2009 Revision**

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## EXECUTIVE SUMMARY

In July 1997, EPA promulgated a new 8-hour ozone standard to protect against longer exposure periods to ground level ozone. EPA also promulgated new particulate matter standards and established both an annual and a 24-hour standard for fine particles – those 2.5 micrometers in diameter or smaller (PM<sub>2.5</sub>). Section 110(a)(1) of the Clean Air Act (CAA) requires States to make a State Implementation Plan (SIP) revision submission for a new or revised NAAQS within 3 years of promulgation of such new or revised National Ambient Air Quality Standards (NAAQS). Section 110(a)(2) lists the elements those SIPs must contain such as requirements for provisions pertaining to modeling, monitoring, and emissions inventories that are designed to assure attainment and maintenance of the standards. An important SIP element listed in section 110(a)(2) [namely section 110(a)(2)(D)(i)] is the requirement that States address emissions that impact other States through interstate transport of the pollutants or precursors of the pollutants.

On April 25, 2005, EPA notified States (including Georgia) of their failure to make the required SIP submission addressing the interstate transport of pollutants related to ozone and PM<sub>2.5</sub> in downwind States. Pursuant to CAA section 110(c), EPA's April 25, 2005 finding of failure to submit started a 24-month clock for EPA to issue a final Federal Implementation Plan (FIP) to address the requirements of section 110(a)(2)(D)(i), unless a State makes the required submission and EPA approves such submission within a 24-month period. The 24-month FIP clock began on May 25, 2005. EPA promulgated the Clean Air Interstate Rule (CAIR) FIP on March 15, 2006 for the CAIR region, including Georgia, and Georgia at that time was covered under both the April 25, 2005 finding and the CAIR FIP requirements under Title 40 of the Code of Federal Regulations (CFR) Parts 52.584 (NO<sub>x</sub>) and 52.585 (SO<sub>2</sub>). EPA determined that Georgia does not *contribute significantly* to nonattainment in, or interfere with maintenance of the 8-hour ozone NAAQS. EPA did determine that Georgia does *contribute significantly* to nonattainment in, or interfere with maintenance of the PM<sub>2.5</sub> NAAQS.

Under 51.123(a)(1) (NO<sub>x</sub>) and 51.124(a)(1)(SO<sub>2</sub>), Georgia can submit a SIP revision to comply with the requirements of CAA section 110(a)(2)(D)(i) through the adoption of adequate provisions prohibiting sources and other activities from emitting NO<sub>x</sub> and SO<sub>2</sub> in amounts that will *contribute significantly* to nonattainment in, or interfere with maintenance, of the PM<sub>2.5</sub> NAAQS. In fact Georgia did submit to EPA such a SIP revision on March 28, 2007. EPA took final action in the *Federal Register* on October 9, 2007 to fully approve Georgia's CAA section 110(a)(2)(D)(i) SIP revision and this full approval became effective on November 8, 2007. EPA withdrew the FIP requirements for Georgia on April 28, 2008 [73 FR 22818-22823].

As part of Georgia's fully approved section 110(a)(2)(D)(i) SIP revision as it relates to the 1997 8-hour ozone and PM<sub>2.5</sub> NAAQS, Georgia adopted by reference (with allowed changes) EPA's control strategy for minimizing NO<sub>x</sub> and SO<sub>2</sub> emissions.

EPA finalized changes to 40 CFR Parts 96.102 and 96.202 to address applicability issues for units co-firing fossil fuels and biomass, and these changes were promulgated in the *Federal Register* on October 19, 2007 [72 FR 59190 – 59207]. As part of that *Federal Register* notice, EPA required States (including Georgia) to submit a CAIR SIP revision that addressed the changes in the CAIR NO<sub>x</sub> and SO<sub>2</sub> Model Rules and that the submittal deadline was January 1, 2009<sup>1</sup>. Georgia promulgated revisions to the applicable portions of Georgia Rules 391-3-1-.02(2)(12) and 391-3-1-.02(2)(13) to incorporate by reference the current versions of 40 CFR Parts 96.102 and 96.202. Revisions to Georgia Rules 391-3-1-.02(2)(12) and 391-3-1-.02(2)(13) became effective June 8, 2008.

Georgia drafted a SIP revision in 2008 addressing the October 2007 revisions to CAIR with the goal of completing the rulemaking process and submitting the revised SIP to EPA by January 1, 2009. On July 11, 2008, the D.C. Circuit Court of Appeals vacated CAIR in its decision *North Carolina v. EPA*. The D.C. Circuit Court did not mandate an effective date of this vacatur and Georgia chose to delay submittal of the needed CAIR SIP revision. On December 23, 2008, the D.C. Circuit Court of Appeals remanded CAIR to EPA without vacatur so that EPA may remedy CAIR's flaws in accordance with the court's July 2008 opinion vacating CAIR. Georgia began the process of revising its CAIR SIP in early 2009 to address the October 2007 revisions to 40 CFR Part 96.

Georgia is submitting a Full CAIR SIP revision that addresses the changes to 40 CFR Parts 96.102 and 96.202 in accordance to the requirements found in 40 CFR Parts 51.123(o) and 51.124(o). Georgia is submitting this SIP revision after January 1, 2009 in light of the July and December 2008 D.C. Circuit's opinion on CAIR.

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<sup>1</sup> On July 22, 2008, the D.C. Circuit Court of Appeals vacated the CAIR rule without an effective date. On December 23, 2008, the D.C. Circuit Court of Appeals remanded CAIR to EPA without vacatur of CAIR so that EPA may remedy CAIR's flaws in accordance with the court's July 2008 opinion vacating CAIR.

## 1.0 Introduction

Section 110(a)(1) of the Clean Air Act (CAA) requires States to make a State Implementation Plan (SIP) revision for a new or revised NAAQS within 3 years of promulgation of such new or revised National Ambient Air Quality Standards (NAAQS). An important SIP element listed in section 110(a)(2) is the requirement that States address emissions that impact other States through interstate transport of the pollutants or precursors of the pollutants.

EPA addressed Clean Air Act Section 110(a)(2)(D)(i) requirements by promulgating the *Clean Air Interstate Rule (CAIR)* in May 2005 which identified the upwind states that *contributed significantly* to downwind states 8-hour ozone and PM<sub>2.5</sub> nonattainment areas and/or which interfered with maintenance of these new NAAQS. As part of this final rule, EPA found that Georgia **does not contribute significantly** to downwind 8-hour ozone Nonattainment areas and/or interfere with 8-hour ozone maintenance. However, EPA did determine that Georgia *contributes significantly* to downwind PM<sub>2.5</sub> nonattainment areas and/or interferes with maintenance of this National Ambient Air Quality Standard (NAAQS) (70 FR 25246-25250).

Georgia submitted a SIP revision to comply with the requirements of CAA section 110(a)(2)(D)(i) in accordance with 40 CFR Parts 51.123(a)(1) and 51.124(a)(1) on March 28, 2007. EPA documented in the *Federal Register* on October 9, 2007 that they have determined that Georgia's March 2007 SIP Revision fully implements the CAIR requirements for Georgia. The effective date of Georgia's fully approved CAIR program was November 8, 2007.

EPA finalized changes to 40 CFR Parts 96.102 and 96.202 to address applicability issues for units co-firing fossil fuels and biomass, and these changes were promulgated in the *Federal Register* on October 19, 2007 [72 FR 59190 – 59207]. EPA requires that Georgia submit a CAIR SIP revision that addresses the change in the CAIR NO<sub>x</sub> and SO<sub>2</sub> Model Rules and that this submittal must be made by January 1, 2009<sup>2</sup>.

Georgia is submitting a Full CAIR SIP revision that addresses the changes to 40 CFR Parts 96.102 and 96.202 in accordance to the requirements found in 40 CFR Parts 51.123(o) and 51.124(o). Georgia is submitting this SIP revision after January 1, 2009 in light of the July and December 2008 D.C. Circuit's opinion on CAIR.

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<sup>2</sup> On July 22, 2008, the D.C. Circuit Court of Appeals vacated the CAIR rule without an effective date. On December 23, 2008, the D.C. Circuit Court of Appeals remanded CAIR to EPA without vacatur of CAIR so that EPA may remedy CAIR's flaws in accordance with the court's July 2008 opinion vacating CAIR.

## **2.0 PLAN REQUIREMENTS**

This plan has been prepared by the Air Protection Branch (APB) of the Georgia Environmental Protection Division (EPD) in accordance with the requirements outlined in the Final Clean Air Interstate Rule (70 FR 25162-25404, 71 FR 25328-25469, and 72 FR 59190-59207) and the State Implementation Plan requirements established by 40 CFR Part 51. This plan contains all of the required elements and is consistent with the existing guidelines for such implementation plans. The plan contains a detailed analysis of each of the following elements:

- Interstate Transport Requirements Under CAA Section 110(a)(2)(D)(i) Regarding the 8-Hour Ozone NAAQS
- Interstate Transport Requirements Under CAA Section 110(a)(2)(D)(i) Regarding the PM<sub>2.5</sub> NAAQS
- Control Strategies to Achieve Reductions in Annual NO<sub>x</sub> and SO<sub>2</sub> Emissions
- Implementation Schedule
- Reporting Requirements

### **3.0 Interstate Transport Requirements as they relate to the 8-Hour Ozone NAAQS**

EPA's October 2007 final revisions to 40 CFR Parts 96.102 and 96.202 do not impact Georgia's conclusion regarding interstate transport requirements as they relate to the 8-Hour Ozone NAAQS. The following language is taken from Georgia's March 28, 2007 CAIR SIP revision.

#### 3.1 "Significant Contribution" and "Interfere with Maintenance" Requirements:

Based on EPA analyses described in detail in CAIR, EPA determined that the State of Georgia does not *significantly contribute* to nonattainment or interference with maintenance of the 8-hour ozone NAAQS in another State (70 FR 25162-25405 and 71 FR 25328-25469).

#### 3.2 "Prevention of Significant Deterioration" Requirement:

Major sources in Georgia are currently subject to PSD (those in attainment counties) and Nonattainment New Source Review permitting programs that implement the 8-hour ozone standard.

#### 3.3 "Protect Visibility" Requirement:

Georgia believes that it is not possible at this time to assess whether there is any interference with measures in the applicable SIP for another state designed to "protect visibility" for the 8-hour ozone NAAQS until Regional Haze SIPs are submitted and approved.

## 4.0 Interstate Transport Requirements as they relate to the PM2.5 NAAQS

### 4.1 “Significant Contribution” and “Interfere with Maintenance” Requirements:

Georgia submitted a CAA Section 110(a)(2)(D)(i) plan for the elimination of *significant contribution* to PM2.5 nonattainment areas and/or interference with PM2.5 maintenance areas to EPA on March 28, 2007, and Georgia refers to this plan as the Georgia CAIR SIP revision. On October 9, 2007 EPA took final action to approve a revision to the Georgia CAIR SIP submitted on March 28, 2007. EPA determined that the SIP revision fully implemented the *Clean Air Interstate Rule* requirements for Georgia. The effective date of Georgia’s CAIR program was November 8, 2007.

This document includes specification of how Georgia intends on fulfilling the SIP content requirements in light of the promulgated revisions to 40 CFR Parts 96.102 and 96.202 as it relates to the *elimination of significant contribution* to PM2.5 nonattainment areas and/or interference with PM2.5 maintenance areas.

Chapters 5 through 8 of this document provide a further description of Georgia’s Section 110(a)(2)(D)(i) plan for the elimination of *significant contribution* to PM2.5 nonattainment areas and/or interference with PM2.5 maintenance areas in light of the October 2007 federal changes.

### 4.2 “Prevention of Significant Deterioration” Requirement:

Major sources in Georgia are currently subject to PSD (those in attainment counties) and Nonattainment New Source Review permitting programs. On May 16, 2008, EPA issued final rules governing the implementation of the New Source Review (NSR) program for PM2.5. On July 15, 2008, Natural Resources Defense Council and the Sierra Club petitioned EPA to reconsider and administratively stay specific parts of this final rule. The Petition objected to four parts of the final rule, including:

- using the new transition schedule for PSD programs in states with PSD programs that EPA has approved;
- “grandfathering” permit applications that were complete, before the rule’s July 15, 2008 effective date and that rely on EPA’s memorandum titled “Implementation of New Source Review requirements in PM 2.5 nonattainment areas,” so as to continue reviewing the permit application using PM10 emissions as a surrogate for satisfying the new PM2.5 requirements;
- allowing states to exclude condensable particulate matter from NSR applicability and emission control requirements until January 1, 2011; and
- allowing states to use EPA-recommended PM2.5 precursor trading ratios to offset PM2.5 emissions increases in PM2.5 nonattainment areas.

On January 16, 2009, EPA denied the July 2008 petition. On February 10, 2009, the same petitioners submitted a second reconsideration request for the same four issues and another request for administrative stay. They also requested reconsideration of then-

Administrator Johnson's January 16 denial letter. On April 24, 2009, EPA granted the February 10, 2009 petition for reconsideration in order to allow for public comment on each of the four issues raised. EPA also administratively stayed the "grandfathering" provision for three months pending reconsideration.

On September 16, 2009, EPA stayed until June 22, 2010 "the grandfathering" provisions for the PM2.5 NSR permitting rules. At this time, EPA has not determined any specific action to be proposed concerning the other three issues raised.

The May 16, 2008, final rules allow SIP-approved states (which includes Georgia) to submit NSR program revisions to address these changes within 3 years of promulgation (i.e., May 16, 2011). The May 18, 2008 rules also include a provision for protecting the PM2.5 NAAQS during the interim period until a state adopts NSR provisions in response to the Federal rulemaking. Georgia is currently implementing an NSR program for PM2.5 in accordance with the provisions for the interim period specified in the Federal rule and will continue to do so. Georgia EPD will adopt and implement final provisions to address the May 18, 2008 final rules in accordance with such rules and any revisions that result from the reconsideration.

#### 4.3 "Protect Visibility" Requirement:

Georgia believes that it is not possible at this time to assess whether there is any interference with measures in the applicable SIP for another state designed to "protect visibility" for the PM2.5 NAAQS. That analysis and planning is required by the Regional Haze Rule and Georgia will submit its required Regional Haze SIP for EPA approval in 2010.

## 5.0 Interstate Transport Requirements as they relate to the PM2.5 NAAQS – Control Strategies

### 5.1 Control Strategy – Background

In 2007 Georgia promulgated a control strategy to achieve the NO<sub>x</sub> and SO<sub>2</sub> emissions reductions necessary to *eliminate the significant transport contribution* to PM<sub>2.5</sub> nonattainment and/or interference with PM<sub>2.5</sub> maintenance areas. The existing control strategy contained within Georgia’s CAIR SIP revision is based on EPA’s control measures for NO<sub>x</sub> and SO<sub>2</sub> emissions and consists of interstate trading programs (i.e., cap-and-trade program).

The Georgia NO<sub>x</sub> and SO<sub>2</sub> cap-and-trade programs apply to all fossil-fueled fired stationary boilers, combustion turbines, combined cycle units, and non-exempt cogeneration units that serve an electric generator of a capacity greater than 25 Mwe. The core group in these programs is the same as in EPA’s control strategy Model Rule for CAIR Annual NO<sub>x</sub> Emissions [40 CFR Part 96 Subparts AA through II] and Annual SO<sub>2</sub> Emissions [40 CFR Parts AAA through III] as defined in CAIR prior to October 19, 2007. The NO<sub>x</sub> cap-and-trade program is implemented through Georgia Rule 391-3-1-.02(2)(12) “*Clean Air Interstate Rule NO<sub>x</sub> Annual Trading Program*”. The SO<sub>2</sub> cap-and-trade program is implemented through Georgia Rule 391-3-1-.02(2)(13) “*Clean Air Interstate Rule SO<sub>2</sub> Annual Trading Program*”.

Applicability determinations under EPA’s CAIR model cap-and-trade rules turn essentially on whether a unit is an *electric generating unit* [EGU]. EPA’s model cap-and-trade rules apply to large fossil-fuel fired EGUs with certain exceptions. The CAIR model cap-and-trade rules provide that certain units meeting the definition of a “*cogeneration unit*” may be excluded from the definition of EGU or from the applicability provisions of the trading programs and therefore, may be exempt from the requirements of the rules [These rule provisions are commonly referred to as the *cogeneration unit exemption*]. In order to qualify for the *cogeneration unit exemption*, the *cogeneration unit* must meet certain electricity sales criteria.

In order to be a *cogeneration unit*, a unit must have equipment used to produce electricity and useful thermal energy through sequential use of energy and must meet a specified *efficiency standard*. In the pre-October 2007 CAIR rule, the *efficiency standard* in the cogeneration unit definition applied to all energy input to the unit regardless of fuel type. EPA notes in the October 19, 2007 *Federal Register* publication that the purpose of this *efficiency standard* in the *cogeneration unit* definition is to prevent a potential loophole where a unit might send only a nominal or insignificant amount of thermal energy to a process and not achieve significant efficiency gains through cogeneration, but still qualify as a *cogeneration unit* and potentially qualify for the *cogeneration unit exemption*.

## 5.2 October 2007 Update to EPA's Control Strategy

During the period for submitting objections concerning the CAIR Federal Implementation Plan (FIP) “*Notice of Data Availability*” [NODA], EPA received information from commenters that suggested to EPA that the *efficiency standard* in the definition of *cogeneration unit* should be revised with regard to units co-firing biomass. Upon further evaluation, EPA concluded that application of the *efficiency standard* to existing biomass *cogeneration units* does not seem to promote the purposes of the standard. That is, the original *cogeneration unit* definition has the “unanticipated and unintended consequence” of making it very difficult for existing biomass *cogeneration units* to qualify as *cogeneration units* unless they co-fired significant amounts of fossil fuels, such as coal. EPA also stated that preventing these existing units from qualifying as *cogeneration units* is not consistent with the purposes of the *efficiency standard*. EPA also surmised that application of this standard as originally written had the paradoxical result that existing biomass *cogeneration units* burning greater amounts of fossil fuels (therefore likely having greater emissions) were much more likely to meet the efficiency requirement and thus qualify as *cogeneration units* exempt from emission limits under the CAIR model cap-and-trade program, while existing biomass *cogeneration units* burning less coal (therefore likely having lower emissions) were less likely to meet the requirement and qualify for the exemption.

With all of this in mind, EPA decided to revise the *efficiency standard* in the *cogeneration unit* definition to specifically exclude heat input from biomass fuel as part of their October 19, 2007 CAIR revision. On October 19, 2007 (72 FR59190 – 59207) EPA revised 40 CFR Part 96.102 (contained within 40 CFR Part 96 Subpart AA) and 40 CFR 96.202 (contained within 40 CFR Part 96 AAA) as follows:

- The addition of a new definition for “*Biomass*”;
- Revising the definition of “*Cogeneration unit*”;
- Revising the definition of “*Permitting authority*”; and
- Revising the definition of “*Total energy input*”.

These revisions to 40 CFR Parts 96.102 and 96.202 became effective on November 19, 2007.

## 5.3 Georgia 2008 Rulemaking to Update State CAIR Rules

Georgia has promulgated a revision to Georgia Rule 391-3-1-.02(12) “*Clean Air Interstate Rule NO<sub>x</sub> Annual Trading Program*” which incorporates by reference the current version of 40 CFR Part 96 Subpart AA, and the effective date of this rule change is June 8, 2008. In addition, Georgia has promulgated a revision to Georgia Rule 391-3-1-.02(13) “*Clean Air Interstate Rule SO<sub>2</sub> Annual Trading Program*” which incorporates by reference the current version of 40 CFR Part 96 Subpart AAA, and the effective date of this rule change is June 8, 2008.

5.4 Update: Identification of CAIR Affected Units

Georgia identified CAIR affected units in its March 28, 2007 CAIR SIP revision. No changes are needed to the March 2007 list of affected units. Appendix A specifies the CAIR equipment inventory based on the revisions to 40 CFR Parts 96.102 and 96.202.

## 6.0 IMPLEMENTATION SCHEDULE

The CAIR Annual NO<sub>x</sub> program will be implemented in two phases with Phase I beginning January 1, 2009 and Phase II beginning January 1, 2015. The CAIR Annual SO<sub>2</sub> program will be implemented in two phases with Phase I beginning January 1, 2010 and Phase II beginning January 1, 2015.

### 6.1 Timing Requirements for CAIR Allowance Allocations

The final revisions of 40 CFR Parts 96.102 and 96.202 do not impact the timing requirements for CAIR allowance allocations.

Under Georgia's fully approved CAIR SIP revision, CAIR SO<sub>2</sub> allowances are issued under the Acid Rain Program by the U.S. EPA.

Under Georgia's fully approved CAIR SIP revision, Georgia submitted initial annual NO<sub>x</sub> allocations for CAIR affected units to EPA by April 30, 2007 in accordance with Georgia Rule 391-3-1-.02(12)(f)(1).

Georgia did not submit annual NO<sub>x</sub> allocations for calendar year 2012 until March 2009 due to the July 2008 D.C. Circuit Court decision. Georgia will submit annual NO<sub>x</sub> allocations for CAIR affected units to EPA each October 31 thereafter (beginning October 31, 2009) for subsequent submittals of NO<sub>x</sub> allowance allocations for existing affected units from Georgia to EPA in accordance with Georgia Rule 391-3-1-.02(12)(f)(1).

### 6.2 Recordation of CAIR Allowance Allocations

The final revisions of 40 CFR Parts 96.102 and 96.202 do not impact the timing requirements for the recordation of CAIR Allowance Allocations.

EPA recorded annual NO<sub>x</sub> and SO<sub>2</sub> allowance allocations in to compliance accounts on for calendar years 2009, 2010, and 2011 on November 8, 2007. Georgia submitted to EPA annual NO<sub>x</sub> allowance allocations for calendar year 2012 in early 2009 and for calendar year 2013 in the fall of 2009.

### 6.3 Submission of CAIR Permit Application

The final revisions of 40 CFR Parts 96.102 and 96.202 do not impact the timing requirements for the submission of CAIR permit application. Georgia has issued amendments to applicable Title V permits incorporating the requirements of CAIR.

## **7.0 REPORTING REQUIREMENTS**

The final revisions of 40 CFR Parts 96.102 and 96.202 do not impact existing reporting requirements found in the CAIR rule.

The final version of the CAIR rule includes revisions to reporting requirements found in 40 CFR 51.122. This section is not applicable to affected units in Georgia because Georgia is not subject to the NO<sub>x</sub> SIP Call.

The final version of the CAIR rule also includes the addition of 40 CFR 51.125 which pertains to emissions reporting requirements for SIP revisions relating to budgets for SO<sub>2</sub> and NO<sub>x</sub> emissions. As CAIR affected units in Georgia will be required to report annual NO<sub>x</sub> and SO<sub>2</sub> emissions data to EPA in a given year pursuant to a trading program under 40 CFR Parts 51.123(NO<sub>x</sub>) and 51.124 (SO<sub>2</sub>) pursuant to the monitoring and reporting requirements of 40 CFR Part 75, Georgia is not required to provide annual reporting of NO<sub>x</sub> and SO<sub>2</sub> emissions to EPA as required by 40 CFR 51.125(a)-(b)(ii).



**Appendix A: Updated Georgia CAIR Equipment Inventory**



<b>Boilers</b>					
<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Fuel Type</b>
04-13-021-00002	Georgia Power Plant Arkwright Unit 1	Yes	Retired	Existing	Bituminous Coal
04-13-021-00002	Georgia Power Plant Arkwright Unit 2	Yes	Retired	Existing	Bituminous Coal
04-13-021-00002	Georgia Power Plant Arkwright Unit 3	Yes	Retired	Existing	Bituminous Coal
04-13-021-00002	Georgia Power Plant Arkwright Unit 4	Yes	Retired	Existing	Bituminous Coal
04-13-067-00003	Georgia Power Plant Atkinson Unit 1	Yes	Retired	Existing	Bituminous Coal
04-13-067-00003	Georgia Power Plant Atkinson Unit 2	Yes	Retired	Existing	Bituminous Coal
04-13-067-00003	Georgia Power Plant Atkinson Unit 3	Yes	Retired	Existing	Bituminous Coal
04-13-015-00011	Georgia Power Plant Bowen Unit 1	Yes	Existing	Existing	Bituminous Coal
04-13-015-00011	Georgia Power Plant Bowen Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-015-00011	Georgia Power Plant Bowen Unit 3	Yes	Existing	Existing	Bituminous Coal
04-13-015-00011	Georgia Power Plant Bowen Unit 4	Yes	Existing	Existing	Bituminous Coal
04-13-237-00008	Georgia Power Plant Branch Unit 1	Yes	Existing	Existing	Bituminous Coal

<b>Boilers</b>					
<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Fuel Type</b>
04-13-237-00008	Georgia Power Plant Branch Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-237-00008	Georgia Power Plant Branch Unit 3	Yes	Existing	Existing	Bituminous Coal
04-13-237-00008	Georgia Power Plant Branch Unit 4	Yes	Existing	Existing	Bituminous Coal
04-13-115-00003	Georgia Power Plant Hammond Unit 1	Yes	Existing	Existing	Bituminous Coal
04-13-115-00003	Georgia Power Plant Hammond Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-115-00003	Georgia Power Plant Hammond Unit 3	Yes	Existing	Existing	Bituminous Coal
04-13-115-00003	Georgia Power Plant Hammond Unit 4	Yes	Existing	Existing	Bituminous Coal
04-13-051-00006	Georgia Power Plant Kraft Unit 1	Yes	Existing	Existing	Bituminous Coal
04-13-051-00006	Georgia Power Plant Kraft Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-051-00006	Georgia Power Plant Kraft Unit 3	Yes	Existing	Existing	Bituminous Coal
04-13-051-00006	Georgia Power Plant Kraft Unit 4	Yes	Existing	Existing	NG/OIL
04-13-067-00003	Georgia Power Plant McDonough Unit 1	Yes	Existing	Existing	Bituminous Coal

<b>Boilers</b>					
<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Fuel Type</b>
04-13-067-00003	Georgia Power Plant McDonough Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-103-00003	Georgia Power Plant McIntosh Unit 1	Yes	Existing	Existing	Bituminous Coal
04-13-127-00004	Georgia Power Plant McManus Unit 1	Yes	Existing	Existing	Fuel Oil
04-13-127-00004	Georgia Power Plant McManus Unit 2	Yes	Existing	Existing	Fuel Oil
04-13-095-00002	Georgia Power Plant Mitchell Unit 3	Yes	Existing	Existing	Bituminous Coal
04-13-207-00008	Georgia Power Plant Scherer Unit 1	Yes	Existing	Existing	Subbituminous Coal
04-13-207-00008	Georgia Power Plant Scherer Unit 2	Yes	Existing	Existing	Subbituminous Coal
04-13-207-00008	Georgia Power Plant Scherer Unit 3	Yes	Existing	Existing	Subbituminous Coal
04-13-207-00008	Georgia Power Plant Scherer Unit 4	Yes	Existing	Existing	Subbituminous Coal
04-13-149-00001	Georgia Power Plant Wansley Unit 1	Yes	Existing	Existing	Bituminous Coal
04-13-149-00001	Georgia Power Plant Wansley Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-077-00001	Georgia Power Plant Yates Unit 1	Yes	Existing	Existing	Bituminous Coal

## Boilers

AIRS No.	Plant/Unit	Included in CAIR Background 1999-2002	Treatment Under GA CAIR	Treatment Under Proposed CAIR FIP NODA	Fuel Type
04-13-077-00001	Georgia Power Plant Yates Unit 2	Yes	Existing	Existing	Bituminous Coal
04-13-077-00001	Georgia Power Plant Yates Unit 3	Yes	Existing	Existing	Bituminous Coal
04-13-077-00001	Georgia Power Plant Yates Unit 4	Yes	Existing	Existing	Bituminous Coal
04-13-077-00001	Georgia Power Plant Yates Unit 5	Yes	Existing	Existing	Bituminous Coal
04-13-077-00001	Georgia Power Plant Yates Unit 6	Yes	Existing	Existing	Bituminous Coal
04-13-077-00001	Georgia Power Plant Yates Unit 7	Yes	Existing	Existing	Bituminous Coal

## Combined-Cycle Units

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-149-00006	Chattahoochee Energy Facility Unit 8A	No – Not yet operational	Existing	New	2003	NG
04-13-149-00006	Chattahoochee Energy Facility Unit 8B	No – Not yet operational	Existing	New	2003	NG
04-13-213-00034	Murray Energy Facility Unit CCT1	Yes	Existing	New	2002	NG
04-13-213-00034	Murray Energy Facility Unit CCT2	Yes	Existing	New	2002	NG
04-13-213-00034	Murray Energy Facility Unit CCT3	Yes	Existing	New	2002	NG
04-13-213-00034	Murray Energy Facility Unit CCT4	Yes	Existing	New	2002	NG
04-13-153-00042	Mid-GA Cogen Unit 1	Yes	Existing	Existing	1998	NG/OIL
04-13-153-00042	Mid-GA Cogen Unit 2	Yes	Existing	Existing	1998	NG/OIL
04-13-103-00014	Georgia Power Plant McIntosh Unit 10A	No – Not yet operational	Existing	New	2005	NG/OIL
04-13-103-00014	Georgia Power Plant McIntosh Unit 10B	No – Not yet operational	Existing	New	2005	NG/OIL
04-13-103-00014	Georgia Power Plant McIntosh Unit 11A	No – Not yet operational	Existing	New	2005	NG/OIL
04-13-103-00014	Georgia Power Plant McIntosh Unit 11B	No – Not yet operational	Existing	New	2005	NG/OIL

## Combined-Cycle Units

AIRS No.	Plant/Unit	Included in CAIR Background 1999-2002	Treatment Under GA CAIR Program	Treatment Under Proposed CAIR FIP NODA	Year Operation Began	Fuel Type
04-13-149-00007	MEAG Power Unit 9A	No – Not yet operational	Existing	New	2004	NG
04-13-149-00007	MEAG Power Unit 9B	No – Not yet operational	Existing	New	2004	NG
04-13-149-00001	Georgia Power Plant Wansley Unit CCCT6A	No – Not yet operational	Existing	New	2002	NG
04-13-149-00001	Georgia Power Plant Wansley Unit CCCT6B	No – Not yet operational	Existing	New	2002	NG
04-13-149-00001	Georgia Power Plant Wansley Unit CCCT7A	No – Not yet operational	Existing	New	2002	NG
04-13-149-00001	Georgia Power Plant Wansley Unit CCCT7B	No – Not yet operational	Existing	New	2002	NG

## Simple Cycle Combustion Turbines

AIRS No.	Plant/Unit	Included in CAIR Background 1999-2002	Treatment Under GA CAIR Program	Treatment Under Proposed CAIR FIP NODA	Year Operation Began	Fuel Type
04-13-205-00044	Baconton Power Unit 1	Yes	Existing	Existing	2000	NG
04-13-205-00044	Baconton Power Unit 4	Yes	Existing	Existing	2000	NG
04-13-205-00044	Baconton Power Unit 5	Yes	Existing	Existing	2000	NG
04-13-205-00044	Baconton Power Unit 6	Yes	Existing	Existing	2000	NG
04-13-015-00011	Georgia Power Plant Bowen Unit 6A	No	Existing	Existing	<1995	OIL
04-13-015-00011	Georgia Power Plant Bowen Unit 6B	No	Existing	Existing	<1995	OIL
04-13-051-00017	Georgia Power Plant Boulevard Unit 1	Yes	Retired	Missing	<1995	NG/OIL
04-13-051-00018	Georgia Power Plant Riverside	Yes	Retired	Existing	<1995	NG/OIL
Facility never existed	Dahlberg in Houston County/Units 1-8	Yes	Does Not Exist	Existing	NA	NA
04-13-237-00034	Georgia Power Plant Dahlberg Unit 1	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 2	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 3	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 4	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 5	Yes	Existing	Existing	2000	NG/OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-237-00034	Georgia Power Plant Dahlberg Unit 6	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 7	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 8	Yes	Existing	Existing	2000	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 9	Yes	Existing	New	2001	NG/OIL
04-13-237-00034	Georgia Power Plant Dahlberg Unit 10	Yes	Existing	New	2001	NG/OIL
04-13-297-00041	Doyle Generating Facility Unit 1	Yes	Existing	Existing	2000	NG/OIL
04-13-297-00041	Doyle Generating Facility Unit 2	Yes	Existing	Existing	2000	NG/OIL
04-13-297-00041	Doyle Generating Facility Unit 3	Yes	Existing	Existing	2000	NG/OIL
04-13-297-00041	Doyle Generating Facility Unit 4	Yes	Existing	Existing	2000	NG/OIL
04-13-297-00041	Doyle Generating Facility Unit 5	Yes	Existing	Existing	2000	NG/OIL
04-13-103-00012	Effingham County Power Unit 1	No – Not yet operational	Existing	New	2003	NG/OIL
04-13-105-00012	Effingham County Power Unit 2	No – Not yet operational	Existing	New	2003	NG/OIL
04-13-147-00021	Hartwell Unit 1	Yes	Existing	Existing	1996	NG/OIL
04-13-147-00021	Hartwell Unit 2	Yes	Existing	Existing	1996	NG/OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
Facility Does Not Exist	Hartwell Energy Center Unit 1	Yes	Does Not Exist	Existing	Does Not Exist	Not Applicable
Facility Does Not Exist	Hartwell Energy Center Unit 2	Yes	Does Not Exist	Existing	Does Not Exist	Not Applicable
04-13-149-00005	Heard County Power Unit 1	Yes	Existing	New	2001	NG/OIL
04-13-149-00005	Heard County Power Unit 2	Yes	Existing	New	2001	NG/OIL
04-13-149-00005	Heard County Power Unit 3	Yes	Existing	New	2001	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 1	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 2	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 3	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 4	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 5	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 6	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 7	Yes	Existing	New	2002	NG/OIL
04-13-303-00040	KGEN Sandersville Unit 8	Yes	Existing	New	2002	NG/OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-067-0003	Georgia Power Plant McDonough Unit CT5M	Missing	Existing	Existing	<1995	NG/OIL
04-13-067-0003	Georgia Power Plant McDonough Unit CT6M	Missing	Existing	Existing	<1995	NG/OIL
04-13-067-0003	Georgia Power Plant McDonough Unit CT7M	Missing	Existing	Existing	<1995	NG/OIL
04-13-067-0003	Georgia Power Plant McDonough Unit CT8M	Missing	Existing	Existing	<1995	NG/OIL
04-13-127-00004	Georgia Power Plant McManus Unit 3A	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 3B	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 3C	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 4A	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 4B	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 4C	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 4D	Missing	Existing	Existing	<1995	OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-127-00004	Georgia Power Plant McManus Unit 4E	Missing	Existing	Existing	<1995	OIL
04-13-127-00004	Georgia Power Plant McManus Unit 4F	Missing	Existing	Existing	<1995	OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT1	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT2	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT3	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT4	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT5	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT6	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT7	Yes	Existing	Existing	<1995	NG/OIL
04-13-103-00003	Georgia Power Plant McIntosh Unit CT8	Yes	Existing	Existing	<1995	NG/OIL
04-13-293-00027	West GA Generating Unit 1	Yes	Existing	Existing	2000	NG/OIL
04-13-293-00027	West GA Generating Unit 2	Yes	Existing	Existing	2000	NG/OIL
04-13-293-00027	West GA Generating Unit 3	Yes	Existing	Existing	2000	NG/OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-293-00027	West GA Generating Unit 4	Yes	Existing	Existing	2000	NG/OIL
04-13-297-00040	MPC Generating Unit 1	Yes	Existing	Existing		NG/OIL
04-13-297-00040	MPC Generating Unit 2	Yes	Existing	New	2001	NG/OIL
04-13-153-00040	Georgia Power Plant Robins Unit CT1	Yes	Existing	Existing	<1995	NG/OIL
04-13-153-00040	Georgia Power Plant Robins Unit CT2	Yes	Existing	Existing	<1995	NG/OIL
04-13-233-00042	Sewell Creek Unit 1	Yes	Existing	Existing	2000	NG/OIL
04-13-233-00042	Sewell Creek Unit 2	Yes	Existing	Existing	2000	NG/OIL
04-13-233-00042	Sewell Creek Energy Facility Unit 3	Yes	Existing	Existing	2000	NG/OIL
04-13-233-00042	Sewell Creek Energy Facility Unit 4	Yes	Existing	Existing	2000	NG/OIL
04-13-207-00030	Smarr Energy Facility Unit 1	Yes	Existing	Existing	1999	NG/OIL
04-13-207-00030	Smarr Energy Facility Unit 2	Yes	Existing	Existing	1999	NG/OIL
04-13-205-00043	Sowega Unit 1	Yes	Existing	Existing	1999	NG/OIL
04-13-205-00043	Sowega Unit 2	Yes	Existing	Existing	1999	NG/OIL
04-13-263-00013	Talbot Energy Facility Unit 1	Yes	Existing	New	2002	NG/OIL
04-13-263-00013	Talbot Energy Facility Unit 2	Yes	Existing	New	2002	NG/OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-263-00013	Talbot Energy Facility Unit 3	Yes	Existing	New	2002	NG/OIL
04-13-263-00013	Talbot Energy Facility Unit 4	Yes	Existing	New	2002	NG/OIL
04-13-263-00013	Talbot Energy Facility Unit 5	Yes	Existing	New	2002	NG/OIL
04-13-263-00013	Talbot Energy Facility Unit 6	Yes	Existing	New	2002	NG/OIL
04-13-149-00004	Tenaska Unit 1	Yes	Existing	New	2001	NG/OIL
04-13-149-00004	Tenaska Unit 2	Yes	Existing	New	2001	NG/OIL
04-13-149-00004	Tenaska Unit 3	Yes	Existing	New	2001	NG/OIL
04-13-149-00004	Tenaska Unit 4	Yes	Existing	New	2002	NG/OIL
04-13-149-00004	Tenaska Unit 5	Yes	Existing	New	2002	NG/OIL
04-13-149-00004	Tenaska Unit 6	Yes	Existing	New	2002	NG/OIL
04-13-297-00042	Walton County Power Unit 1	Yes	Existing	New	2001	NG/OIL
04-13-297-00042	Walton County Power Unit 2	Yes	Existing	New	2001	NG/OIL
04-13-297-00042	Walton County Power Unit 3	Yes	Existing	New	2001	NG/OIL
04-13-149-00001	Georgia Power Plant Wansley Unit CT5A	Missing	Existing	Existing	<1995	NG/OIL
04-13-303-00039	Washington County Power Unit 1	No – Not yet operational	Existing	New	2003	NG/OIL

## Simple Cycle Combustion Turbines

<b>AIRS No.</b>	<b>Plant/Unit</b>	<b>Included in CAIR Background 1999-2002</b>	<b>Treatment Under GA CAIR Program</b>	<b>Treatment Under Proposed CAIR FIP NODA</b>	<b>Year Operation Began</b>	<b>Fuel Type</b>
04-13-303-00039	Washington County Power Unit 2	No – Not yet operational	Existing	New	2003	NG/OIL
04-13-303-00039	Washington County Power Unit 3	No – Not yet operational	Existing	New	2003	NG/OIL
04-13-303-00039	Washington County Power Unit 4	No – Not yet operational	Existing	New	2003	NG/OIL
04-13-033-00008	Wilson Unit 1	Yes	Existing	Existing	<1995	OIL
04-13-033-00008	Wilson Unit 2	Yes	Existing	Existing	<1995	OIL
04-13-033-00008	Wilson Unit 3	Yes	Existing	Existing	<1995	OIL
04-13-033-00008	Wilson Unit 4	Yes	Existing	Existing	<1995	OIL
04-13-033-00008	Wilson Unit 5	Yes	Existing	Existing	<1995	OIL
04-13-033-00008	Wilson Unit 6	Yes	Existing	Existing	<1995	OIL

## Appendix B: Georgia Rules for Air Quality Control 391-3-1-.02(12) *Clean Air Interstate Rule*

### (12) Clean Air Interstate Rule NOx Annual Trading Program

- (a) General Requirements. The provisions of this paragraph (12) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 96 Subparts AA through HH as amended. The term “Permitting Authority” as used in regulations adopted in this section shall mean the Environmental Protection Division of the Georgia Department of Natural Resources, except as used in the definitions of “Allocate or allocation” and “CAIR NOx allowance” in 40 CFR 96.102, in which case “Permitting Authority” is defined as stated in 40 CFR 96.102.
- (b) ~~Clean Air Interstate Rule NOx Annual Trading Program General Provisions: 40 CFR Part 96, Subpart AA, as amended is hereby incorporated and adopted by reference with the following exception:~~
- Clean Air Interstate Rule NOx Annual Trading Program General Provisions: 40 CFR Part 96, Subpart AA, as amended is hereby incorporated and adopted by reference with the following exception:
1. In lieu of 40 CFR Part 96.105(b)(2), the following provision applies:
    - (i) The Permitting Authority will not allocate CAIR NOx allowances under subparagraph (f) to a unit exempt under 40 CFR Part 96.105(a) which has permanently retired in a control period prior to or during any of the control periods used in subparagraph (f)2. to determine the CAIR NOx allowance baseline.
- (c) Clean Air Interstate Rule Designated Representative for CAIR NOx Sources: 40 CFR Part 96, Subpart BB, as amended is hereby incorporated and adopted by reference:
- (d) Permits: 40 CFR Part 96, Subpart CC, as amended is hereby incorporated and adopted by reference:
- (e) Reserved: 40 CFR Part 96, Subpart DD, as amended is hereby incorporated and adopted by reference:
- (f) CAIR NOx Allowance Allocations: 40 CFR Part 96, Subpart EE, as amended is hereby incorporated and adopted by reference with the following exceptions:

1. Timing Requirements for CAIR NO<sub>x</sub> Allowance Allocations: In lieu of 40 CFR Part 96.141, the following provisions apply:
  - (i) By April 30, 2007, the Permitting Authority will submit to the Administrator the CAIR NO<sub>x</sub> allowance allocations, in accordance with subparagraphs (f)2-(f)3. for the control periods 2009, 2010 and 2011.
  - (ii) By October 31, 2008, and October 31 of each year thereafter, the Permitting Authority will submit to the Administrator the CAIR NO<sub>x</sub> allowance allocations in accordance with subparagraphs (f)2. through (f)3. for the control period in the year that is four years after the year of the applicable deadline for submission under this subparagraph.
  - (iii) By October 31, 2009, and October 31 of each year thereafter, the Permitting Authority will submit to the Administrator the CAIR NO<sub>x</sub> allowance allocations, in a format prescribed by the Administrator and in accordance with subparagraphs (f)2.(i) through (iii), (f)4.(i), and (f)5.(i) for the control period in the year of the applicable deadline for submission under this subparagraph.
  
2. In lieu of 40 CFR Part 96.142(a), the following provisions apply:
  - (i) The heat input (in Mite) used for calculating the NO<sub>x</sub> allowance allocations under subparagraph (f)3.(i) through (iii) for each CAIR NO<sub>x</sub> unit defined in subparagraph (b) for control periods 2009, 2010 and 2011 will be the highest annual amount of the unit's adjusted control period heat input for 2001 through 2005 with the adjusted control period heat input for each year calculated as follows:
    - (I) If the unit is coal-fired during the year, the unit's control period heat input for such year is multiplied by 100 percent;
    - (II) If the unit is oil-fired during the year, the unit's control period heat input for such year is multiplied by 60 percent; and
    - (III) If the unit is not subject to subparagraph (f)2.(i)(I) or (II), the unit's control period heat input for such year is multiplied by 40 percent.
  - (ii) For a CAIR NO<sub>x</sub> unit that has operated during any or each of the years that are five, six, seven, eight, and nine years before the year for which the CAIR NO<sub>x</sub> allocation is being calculated, the heat input (in Mite) used for calculating the NO<sub>x</sub> allowance allocations under subparagraph (f)3.(i) through (iii) for each CAIR NO<sub>x</sub> unit defined in subparagraph (b) for control period 2012 and thereafter is the highest amount of the unit's adjusted control period heat input from the years that are five, six, seven, eight and nine years before the year for which the NO<sub>x</sub> CAIR allocation is being calculated with the adjusted control period heat input for each control period calculated as follows:

- (I) If the unit is coal-fired during the year, the unit's control period heat input for such year is multiplied by 100 percent;
  - (II) If the unit is oil-fired during the year, the unit's control period heat input for such year is multiplied by 60 percent; and
  - (III) If the unit is not subject to subparagraph (f)2.(ii)(I) or (II), the unit's control period heat input for such year is multiplied by 40 percent.
- (iii) A unit's control period heat input and a unit's status as coal-fired or oil-fired for a calendar year under subparagraphs (f)2.(i) or (ii), and a unit's total tons of NOx emissions during a calendar year under subparagraph (f)4.(i)(IV) will be determined in accordance with 40 CFR Part 75, to the extent the unit was otherwise subject to the requirements of 40 CFR Part 75 for the year or will be based on the best available data reported to the Permitting Authority for the unit to the extent the unit was not otherwise subject to the requirements of 40 CFR Part 75 for the year.
3. In lieu of 40 CFR Part 96.142(b), the following provisions apply:
- (i) For each control period in 2009 through 2014, the Permitting Authority will allocate to all CAIR NOx units in the State that have a baseline heat input, as determined under subparagraph (f)2., a total amount of CAIR NOx allowances equal to sixty-four thousand three hundred and thirty-one (64,331).
  - (ii) For each control period in 2015 and thereafter, the Permitting Authority will allocate to all CAIR NOx units in the State that have a baseline heat input, as determined under subparagraph (f)2., a total amount of CAIR NOx allowances equal to fifty-three thousand six hundred and ten (53,610).
  - (iii) The Permitting Authority will allocate CAIR NOx allowances to each CAIR NOx unit under subparagraphs (f)3.(i) and (ii) an amount determined by multiplying the total amount of CAIR NOx allowances allocated under subparagraphs (f)2.(i) and (ii) by the ratio of the heat input of such CAIR NOx unit, as determined under subparagraph (f)2.(iii), to the total amount of heat input for all such CAIR NOx units in the State and rounding to the nearest whole allowance as appropriate.
4. In lieu of 40 CFR Part 96.142(c), the following provisions apply:
- (i) For each control period in 2009 and thereafter, the Permitting Authority will allocate CAIR NOx allowances to CAIR NOx units in the State that commenced operation on or after January 1, 2006, and do not yet have a baseline heat input [as determined under subparagraphs (f)2.(i) through (ii)], in accordance with the following procedures:
    - (I) The Permitting Authority will establish a separate new unit-set-aside for each control period. Each new unit set-aside will be allocated CAIR NOx allowances equal to one thousand nine hundred ninety (1,990) for a control period in 2009 through 2014.

- (II) The Permitting Authority will establish a separate new unit-set-aside for each control period. Each new unit set-aside will be allocated CAIR NOx allowances equal to one thousand six hundred fifty-eight (1,658) for a control period in 2015 and thereafter.
- (III) The CAIR designated representative of such a CAIR NOx unit may submit to the Permitting Authority a request, in a format specified by the Permitting Authority, to be allocated CAIR NOx allowances starting with the later of the control period in 2009 or the first control period after the control period in which the CAIR NOx unit commences commercial operation and until the first control period for which the unit is allocated CAIR NOx allowances under subparagraph (f)3.(i) through (iii). The CAIR NOx allowance allocation request must be submitted on or before July 1 of the first control period for which the CAIR NOx allowances are requested and after the date on which the CAIR NOx unit commences commercial operation.
- (IV) In a CAIR NOx allowance allocation request under subparagraph (f)4.(i)(III), the CAIR designated representative may request for a control period CAIR NOx allowances in an amount not exceeding the CAIR NOx unit's total tons of NOx emissions during the calendar year immediately before such control period.
- (V) The Permitting Authority will review each CAIR NOx allowance allocation request under subparagraph (f)4.(i)(III) and will allocate CAIR NOx allowances for each control period pursuant to such request as follows:
  - I. The Permitting Authority will accept the allowance allocation request only if the request meets, or is adjusted by the Permitting Authority as necessary to meet, the requirements of subparagraphs (f)4.(i)(III) and (IV).
  - II. On or after July 1 of the control period, the Permitting Authority will determine the sum of the CAIR NOx allowances requested [as adjusted under subparagraph (f)4.(i)(V)I.] in all allowance allocation requests accepted under subparagraph (f)4.(i)(V)I. for the control period.
  - III. If the amount of CAIR NOx allowances in the new unit set-aside for the control period is greater than or equal to the sum under subparagraph (f)4.(i)(V)II., then the Permitting Authority will allocate the amount of CAIR NOx allowances requested [as adjusted under subparagraph (f)4.(i)(V)I.].
  - IV. If the amount of CAIR NOx allowances in the new unit set-aside for the control period is less than the sum under subparagraph (f)4.(i)(V)II., then the Permitting Authority will allocate to each CAIR NOx unit covered by an allowance allocation request accepted under subparagraph (f)4.(i)(V) I. the amount of the

CAIR NO<sub>x</sub> allowances requested [as adjusted under subparagraph (f)4.(i)(V)I.] multiplied by the amount of CAIR NO<sub>x</sub> allowances in the new unit set-aside for the control period divided by the sum determined under subparagraph (f)4.(i)(V)II., and rounded to the nearest whole allowance as appropriate.

- V. The Permitting Authority will notify each CAIR designated representative that submitted an allowance request of the amount of CAIR NO<sub>x</sub> allowances (if any) allocated for the control period to the CAIR NO<sub>x</sub> unit covered by the request.

5. In lieu of 40 CFR Part 96.142(d), the following provisions apply:

- (i) If, after completion of the procedures under subparagraph (f)4.(i)(V) for a control period, any unallocated CAIR NO<sub>x</sub> allowances remain in the new unit set-aside for the control period, the Permitting Authority will allocate to each CAIR NO<sub>x</sub> unit that was allocated CAIR NO<sub>x</sub> allowances under subparagraphs (f)3.(i) through (iii), an amount of CAIR NO<sub>x</sub> allowances equal to the total amount of such remaining unallocated CAIR NO<sub>x</sub> allowances multiplied by the unit's allocation under subparagraphs (f)3.(i) through (iii) divided by 64,331 allowances for a control period during 2009 through 2014, and 53,610 allowances for a control period during 2015 and thereafter, and rounded to the nearest whole allowance as appropriate.

(g) CAIR NO<sub>x</sub> Allowance Tracking System: 40 CFR Part 96, Subpart FF, as amended is hereby incorporated and adopted by reference, with the following exception(s):

1. In lieu of 40 CFR Part 96.153(a) through (d), the following provision applies:

- (i) By September 30, 2007, the Administrator will record in the CAIR NO<sub>x</sub> source's compliance account the CAIR NO<sub>x</sub> allowances allocated for the CAIR NO<sub>x</sub> units at the source in accordance with subparagraph (f)2. through (f)3. for the control period in 2009, 2010, and 2011.
- (ii) By December 1, 2008, and each December 1 thereafter, the Administrator will record in the CAIR NO<sub>x</sub> source's compliance account the CAIR NO<sub>x</sub> allowances allocated for the CAIR NO<sub>x</sub> units at the source in accordance with subparagraph (f)2. through (f)3. for the control period in the year of the applicable deadline for recordation under this subparagraph.
- (iii) By December 1, 2009, and December 1 of each year thereafter, the Administrator will record in the CAIR NO<sub>x</sub> source's compliance account the CAIR NO<sub>x</sub> allowances allocated for the CAIR NO<sub>x</sub> units at the source as submitted by the Permitting Authority in accordance with subparagraph (f)1(iii). for the control period in the year of the applicable deadline for recordation under this subparagraph.

(h) Clean Air Interstate Rule Allowance Transfers: 40 CFR Part 96 Subpart GG, as amended is hereby incorporated and adopted by reference:

- (i) Clean Air Interstate Rule Monitoring and Reporting: 40 CFR Part 96 Subpart HH, as amended is hereby incorporated and adopted by reference:

## Appendix C: Georgia Rules for Air Quality Control 391-3-1-.02(13)

### *Clean Air Interstate Rule*

#### (13) Clean Air Interstate Rule SO<sub>2</sub> Annual Trading Program.

- (a) General Requirements. The provisions of this Paragraph (13) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 96 Subparts AAA through HHH as amended. The term “Permitting Authority” as used in regulations adopted in this section shall mean the Environmental Protection Division of the Georgia Department of Natural Resources, except as used in the definitions of “Allocate or allocation” and “CAIR NO<sub>x</sub> allowance” in 40 CFR 96.202, in which case “Permitting Authority” is defined as stated in 40 CFR 96.202.
- (b) ~~Clean Air Interstate Rule SO<sub>2</sub> Annual Trading Program General Provisions: 40 CFR Part 96, Subpart AAA, as amended is hereby incorporated and adopted by reference.~~ Clean Air Interstate Rule SO<sub>2</sub> Annual Trading Program General Provisions: 40 CFR Part 96, Subpart AAA, as amended is hereby incorporated and adopted by reference.
- (c) Clean Air Interstate Rule Designated Representative for CAIR SO<sub>2</sub> Sources: 40 CFR Part 96, Subpart BBB, as amended is hereby incorporated and adopted by reference.
- (d) Permits: 40 CFR Part 96, Subpart CCC, as amended is hereby incorporated and adopted by reference.
- (e) Reserved: 40 CFR Part 96, Subpart DDD, as amended is hereby incorporated and adopted by reference.
- (f) Reserved: 40 CFR Part 96, Subpart EEE, as amended is hereby incorporated and adopted by reference.
- (g) CAIR SO<sub>2</sub> Allowance Tracking System: 40 CFR Part 96, Subpart FFF, as amended is hereby incorporated and adopted by reference.
- (h) Clean Air Interstate Rule Allowance Transfers: 40 CFR Part 96 Subpart GGG, as amended is hereby incorporated and adopted by reference.
- (i) Clean Air Interstate Rule Monitoring and Reporting: 40 CFR Part 96 Subpart HHH, as amended is hereby incorporated and adopted by reference.