

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

**NOTICE OF PUBLIC HEARING AND PROPOSED AMENDMENTS
TO GEORGIA’S RULES FOR AIR QUALITY CONTROL
CHAPTER 391-3-1**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, the Environmental Protection Division (hereinafter, “EPD”) of the Georgia Department of Natural Resources proposes Amendments to Georgia’s Rules for Air Quality Control, Chapter 391-3-1 (hereinafter, “the proposed Air Rule Amendments”). The Director of EPD certifies that the revisions to rules 391-3-1-.01, 391-3-1-.02, and 391-3-1-.03 are required to comply with Sections 110(a), 161, and 172 of the Federal Clean Air Act and to exercise authority approved and/or delegated by the U.S. Environmental Protection Agency (hereafter “U.S. EPA”) to implement Section 110 of the Federal Clean Air Act. The proposed Air Rule Amendments are described below:

Rule 391-3-1-.01, “Definitions,” is being revised to update the definitions of “Banking” and “Emission reduction credit.” In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, emission reduction credits are no longer required. Wording has also been revised for consistency.

Rule 391-3-1-.02(1), “General Requirement,” is being revised to change “nonattainment” to “non-attainment” for consistency.

Rule 391-3-1-.02(2)(nnn), “NOx Emissions from Large Stationary Gas Turbines,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require emission offsets for sources of NOx and VOC emissions are no longer applicable in the Atlanta area. An exemption for certain stationary gas turbines has been added. Wording has also been revised for consistency.

Subparagraph (a), “Specific Monitoring and Reporting Requirements for Particular Sources,” of Rule 391-3-1-.02(6), “Source Monitoring,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require emission statements for sources of NOx and VOC emissions are no longer applicable in the Atlanta area. Wording has also been revised for consistency.

Rule 391-3-1-.03(1), “Construction (SIP) Permit,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require non-attainment new source review for sources of NO_x and VOC emissions are no longer applicable in the Atlanta area. Therefore, this construction permit application requirement regarding Emission Reduction Credits is no longer relevant.

Subparagraph (j), “Construction Permit Exemption for Pollution Control Projects,” of Rule 391-3-1-.03(6), “Exemptions,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require non-attainment new source review for sources of NO_x and VOC emissions are no longer applicable in the Atlanta area.

Rule 391-3-1-.03(8), “Permit Requirements,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require non-attainment new source review for sources of NO_x and VOC emissions are no longer applicable in the Atlanta area. Wording has also been revised for consistency.

Subparagraph (k) of Rule 391-3-1-.03(9), “Permit Fees,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require non-attainment new source review for sources of NO_x and VOC emissions are no longer applicable in the Atlanta area.

Subparagraph (c), “Permit Applications,” of Rule 391-3-1-.03(10), “Title V Operating Permits,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require non-attainment new source review for sources of NO_x and VOC emissions are no longer applicable in the Atlanta area.

Subparagraph (b)7., “Coating and/or Gluing Operations,” of Rule 391-3-1-.03(11), “Permit by Rule,” is being revised to remove the ozone non-attainment new source review requirements for the Atlanta area. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that

require non-attainment new source review for sources of NOx and VOC emissions are no longer applicable in the Atlanta area. Wording has also been revised for consistency.

Rule 391-3-1-.03(13), “Emission Reduction Credits,” is being revised to remove wording that allows or refers to the use of emission reduction credits. In 2018, U.S. EPA designated Atlanta non-attainment for the 8-hour ozone air quality standard set by U.S. EPA in 2015. In November of 2022, Atlanta was redesignated to “attainment” for the 2015 standard by the U.S. EPA. As a result, the federal statutes and rules that require non-attainment new source review for sources of NOx and VOC emissions are no longer applicable in the Atlanta area. Therefore, emission reduction credits are no longer necessary. Wording has also been revised for consistency and to correct grammatical errors.

This notice, together with an exact copy of the proposed Air Rule Amendments, a synopsis, and a statement of rationale of the rule revisions, is being provided to all persons who have requested in writing that they be placed on a notification list. These documents may be viewed at <https://epd.georgia.gov/chapter-391-3-1-air-quality-control> or by appointment only at the Georgia Environmental Protection Division, Air Protection Branch, 4244 International Parkway, Suite 104, Atlanta, Georgia 30354. To set an appointment, email askepd@dnr.ga.gov with your name, email and phone number and an associate will reach out to you. Copies may also be requested by contacting Steve Allison, Steve.Allison2@dnr.ga.gov, Anna Aponte, Anna.Apontel@dnr.ga.gov, or the Environmental Protection Division Director’s Office at askepd@dnr.ga.gov.

To provide the public an opportunity to comment upon and provide input into the proposed Air Rule Amendments, a public hearing will be held at 2:00 p.m. on April 28, 2023. EPD will be hosting this public hearing via Zoom. Zoom is a free web conferencing platform that also allows participation by phone.

To log into the public hearing on your computer, please click this link or copy and paste it into your browser to join the meeting:

<https://gaepd.zoom.us/j/92114251659?pwd=UnA1ZmNSQ2p1WHphYnNoR2RCQWtTd09>

To ensure that you are ready to participate when the meeting begins, we recommend that you download Zoom in advance. Zoom can be found here: <https://zoom.us>

To dial in by phone, please call this number: 888-788-0099 (Toll free). When prompted, enter the Meeting ID and/or Passcode shown below.

The meeting ID is 921 1425 1659

Passcode: 434473

Please note that if you choose to participate by phone, your phone number may be visible to other meeting attendees.

During the hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument either orally or in writing. Oral statements should be concise. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded

messages, must be submitted in writing for the official record.

Written comments are welcomed. To ensure their inclusion in EPD's package for the Board of Natural Resources, written comments should be received by close of business on April 28, 2023. Written comments may be emailed to EPDComments@dnr.state.ga.us or sent via regular mail addressed to: Branch Chief, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia, 30354.

The proposed Air Rule Amendments will be considered for adoption by the Board of Natural Resources at its meeting at 9:00 a.m. on Tuesday, May 23, 2023. The meeting will be open to the public and held in the DNR Boardroom located at 2 Martin Luther King, Jr. Drive, SE, Suite 1252, East Tower, Atlanta, Georgia 30334.

The proposed Air Rule Amendments are proposed for adoption pursuant to authority contained in the Georgia Air Quality Act (O.C.G.A. Section 12-9-1 et. seq.). For further information, contact Anna Aponte, (470) 251-2942 at the Air Protection Branch.