



July 7, 2022

Branch Chief, Air Protection
4244 International Parkway, Suite 120
Atlanta, Georgia, 30354
(via email at EPDComments@dnr.state.ga.us)

Re: Request for an Extension of Comment Period for Georgia's Regional Haze
State Implementation Plan for the Second Implementation Period from
July 26, 2022 to August 1, 2022

Dear Sir or Madam:

The Sierra Club and National Parks Conservation Association (hereinafter "Conservation Organizations") hereby respectfully request a minor extension on the public comment deadline for Georgia's Regional Haze State Implementation Plan ("SIP") for the Second Implementation Period, currently noticed for public comment. Specifically, we request that the current deadline for public comment, Tuesday, July 26, 2022, be extended by just four business days, to Monday August 1, 2022.

We appreciate the fact that your Agency is presumably aiming to submit your proposed SIP to the Environmental Protection Agency ("EPA") by August 15, 2022, in order to avoid inclusion in EPA's findings of failure to submit Regional Haze Second Planning Period SIPs—which EPA has indicated it intends to make on August 31, 2022. It is in recognition of this expected timeframe that we have reasonably limited our extension request to just four business days.

These few extra days would allow us essential time to properly review the Environmental Protection Division's ("EPD") draft SIP and the voluminous supporting documents so that we may provide meaningful public comments, as contemplated and provided for by the Clean Air Act. At the same time, extending the comment period by just four business days, to August 1, 2022, would not cause significant delay to EPD's submission of the SIP to EPA. EPD would still have two weeks to review public comments and prepare the SIP for submission to EPA by

August 15, 2022; realistically, EPD would have four weeks after the close of the comment period to avoid a finding of failure to submit since EPA has indicated that it will not be making any such findings prior to August 31, 2022. Even if a minor delay were to occur, it would be far outweighed by the benefits of allowing meaningful public input at the state-level. Thus, a mere week extension of the public comment deadline will not prejudice any party and will not materially affect EPD's ability to submit its SIP to EPA prior to EPA's proposed findings of failure to submit, expected on August 31, 2022.¹

Importantly, given the scope and complexity of the proposed SIP, denying this extension request and maintaining the current deadline for comments will preclude the Conservation Organizations from effectively reviewing all the relevant technical data supporting the rule, fully analyzing those voluminous files, and providing meaningful legal and technical comments. Further, if finalized without consideration of meaningful comments, the proposed SIP will adversely affect the Conservation Organizations' interests in pollution reduction, the environment, as well as the health and welfare of our members and their use and enjoyment of protected national parks and wilderness areas. This outcome would be in direct conflict with the purpose and goals of the Clean Air Act.

Sierra Club is a national nonprofit organization with 67 chapters and more than 830,000 members dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives. The Sierra Club has long participated in Regional Haze rulemaking and litigation across the country in order to advocate for public health and our nation's national parks.

National Parks Conservation Association ("NPCA") is a national organization whose mission is to protect and enhance America's National Parks for present and future generations. NPCA performs its work through advocacy and education. NPCA has over 1.64 million members and supporters nationwide. NPCA is active nation-wide in advocating for strong air quality requirements to protect our parks, including submission of petitions and comments relating to visibility issues, regional haze State Implementation Plans, climate change and mercury impacts on parks, and emissions from individual power plants and other sources of pollution affecting National Parks and communities. NPCA's members live near, work at, and recreate in all the national parks, including those directly affected by emissions from Georgia's sources.

¹ EPA's recent announcement of its intent to make findings of failure to submit by August 31, 2022, for states that do not submit regional haze SIPs for the second implementation period is no reason to deny this request. First, even if EPA issues a finding of failure to submit, EPA will still have two years to promulgate a Federal Implementation Plan, and a mere seven-day extension will not materially impact that process. 42 U.S.C. § 7410(c). Second, Georgia had years to prepare the proposed SIP, so a one-week delay for EPD to prepare and submit the SIP to EPA should not come at the expense of meaningful public engagement and input—especially because such input could impact EPA's final regional haze determination.

We appreciate your attention to this extension request. Given the approaching deadline, please respond to our extension request by July 13, 2022, so that we have adequate time to plan our comments more efficiently. Thank you again.

Sincerely,

Kathryn M. Amirpashaie

Principal

Law Office of Kathryn M. Amirpashaie, PLC.

35934 Shrewsbury Ct.

Round Hill, VA 20141

(703) 851-0935

kmalawoffice@gmail.com

Counsel for Sierra Club

Joshua Smith

Staff Attorney

Sierra Club Environmental Law Program

2101 Webster St., Suite 1300

Oakland, CA 94612

(415) 977-5560

joshua.smith@sierraclub.org

Stephanie Kodish

Senior Director and Counsel

Clean Air and Climate Programs

National Parks Conservation Association

706 Walnut Street, Suite 200

Knoxville, TN 37919

(865) 964-1774

skodish@npca.org