

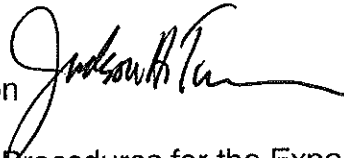
Georgia Department of Natural Resources
Environmental Protection Division

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Judson H. Turner, Director
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MAY 20 2013

MEMORANDUM

TO: Stationary Source Permitting Program, Air Protection Branch

FROM: Judson H. Turner, Director
Environmental Protection Division 

SUBJECT: Approval of Standard Operating Procedures for the Expedited Permitting Program in the Georgia EPD – Air Protection Branch

In accordance with O.C.G.A. 12-2-2(c)(1)(A), the attached Standard Operating Procedures for the Expedited Permitting Program in the Georgia Environmental Protection Division (EPD) – Air Protection Branch are approved. O.C.G.A. 12-2-2(c)(1)(A) requires the Director of the Georgia EPD to develop and implement procedures for timely processing of certain permit applications, including but not limited to procedures for expedited review and granting of applications upon payment of a fee. Fees collected as part of the expedited permitting program will be used to offset the cost of expediting the permit applications. This provision of the law becomes effective on July 1, 2013. The attached Standard Operating Procedures define how the expedited permitting program will operate within EPD's Air Protection Branch.

Permit applicants who are prepared to submit high-quality applications are encouraged to apply for entry into the expedited review program, particularly if certainty in the timeliness of the review process is of critical importance. EPD will make every effort to allow entry into the program for all such applications.

These expedited permitting program standard operating procedures may be periodically reviewed and amended to ensure that the program is operating as effectively as possible, including that EPD has the resources to adequately implement the program.

Enclosure

Georgia Department of Natural Resources

Environmental Protection Division • Air Protection Branch

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Judson H. Turner, Director

April 9, 2013

Standard Operating Procedures Expedited Permitting Program Georgia EPD – Air Protection Branch

Scope

O.C.G.A. 12-2-2(c)(1)(A) requires the Director of the Georgia Environmental Protection Division (EPD) to develop and implement procedures for timely processing of certain permit applications, including but not limited to procedures for expedited review and granting of applications upon payment of a fee. Fees collected as part of the expedited permitting program will be used to offset the cost of expediting the permit applications. This provision of the law becomes effective on July 1, 2013. The following Standard Operating Procedures define how the expedited permitting program will operate within EPD's Air Protection Branch.

The EPD Air Protection Branch handles the responsibilities for reviewing applications for air quality permits for the entire state of Georgia. All air quality permits require approval by the Director of the EPD. The requirements for submitting an application for an air quality permit and for EPD's review and approval of that application are generally found in section 391-3-1-.03 of the Georgia Rules for Air Quality Control.

Permit applicants who are prepared to submit high quality applications are encouraged to apply for entry into the expedited review program, particularly if certainty in the timeliness of the review process is of critical importance. EPD will make every effort to allow entry into the program for all such applications.

The expedited permitting program is optional on the part of the permit applicants. Applications that do not request expedited review under this program, or are not accepted under the program in accordance with these standard operating procedures, will be reviewed in accordance with the normal regulatory procedures. EPD will continue to strive for timeliness in permitting for all applicants. EPD expects that the expedited permitting program will not have a negative impact on the timeliness for permit applications going through the normal regulatory process.

These expedited permitting program standard operating procedures may be periodically reviewed and amended to ensure that the program is operating as effectively as possible, including that EPD has the resources to adequately implement the program.

Expedited Review Time Frames

The goal is to have each permit application in the expedited permitting program reviewed by the deadlines specified below:

Table 1. Expedited Review Time Frames for Air Permits	
<u>Permit Type</u>	<u>Expedited Review Deadline</u> ^{a, b, c}
1. Generic Permit: Concrete Batch Plant – Minor Source	45 days
2. Generic Permit: Concrete Batch Plant – Synthetic Minor Source	45 days
3. Generic Permit: Hot Mix Asphalt Plant – Synthetic Minor Source	45 days
4. Minor Source Permit (or Amendment)	45 days
5. Synthetic Minor Permit (or Amendment)	65 days
6. Major Source SIP Permit not subject to Prevention of Significant Deterioration (PSD) or 112(g)	91 days
7. Title V 502(b)(10) Permit Amendment	65 days
8. Title V Minor Modification with Construction	65 days ^d
9. Title V Significant Modification	122 days
10. Major Source SIP Permit subject to 112(g) but not subject to PSD	152 days
11. PSD Permit (or Amendment) not subject to NAAQS and/or PSD Increment Modeling	152 days
12. PSD Permit (or Amendment) subject to NAAQS and/or PSD Increment Modeling but not subject to Modeling for PM _{2.5} , NO ₂ , or SO ₂	183 days
13. PSD Permit (or Amendment) subject to NAAQS and/or PSD Increment Modeling for PM _{2.5} , NO ₂ , or SO ₂	183 days
14. PSD Permit (or Amendment) subject to NAAQS and/or PSD Increment Modeling for PM _{2.5} , NO ₂ , or SO ₂ and also impacting a Class I Area	183 days
15. Nonattainment NSR Review Permit (or Amendment)	183 days
a) All days above are calendar days. If the deadline falls on a State holiday or building closure date due to severe weather or other emergency then the deadline shall be the next business day.	
b) These deadlines include all required public notice and public comment periods.	
c) The applicant and EPD may agree to a longer review time in order for a very large, complex, otherwise unusual, and/or potentially controversial application to be accepted into the program. This agreement should be in writing and should be documented on the Expedited Permitting Application Form.	
d) Deadline is for decision on the construction permit. For Title V Minor Modifications with Construction, the facility may commence construction (and operation) of their project when the construction permit is issued. Formal approval of operation would come after EPA's 45-day review period.	

Pre-Application Meeting

All applicants requesting entry into the expedited permitting program must request and participate in a pre-application meeting. Pre-application meetings for PSD applications must take place at least 30 days prior to submitting a PSD permit application. Other pre-application meetings must take place at least 14 days prior to submitting an application requesting expedited review. EPD may request additional meetings with the applicant during the technical review of the application as needed.

Quality Applications

EPD expects applications that are selected for expedited review to be high quality.

Procedures

1. The applicant seeking expedited review will indicate interest in participating in this program by completing the provided application form. The permit application must be considered administratively complete in order to be considered for the program.
2. The applicant will be notified of their selection for expedited review by phone within five business days of receipt of the application. Once contacted, the applicant must verbally accept or reject their entry into the program. If EPD is not able to get in touch with the applicant, the project may be rejected for the expedited permitting program. The applicant must provide multiple phone numbers so they can be contacted easily. Individuals should not call EPD to determine if their project was selected for expedited review.
3. The expedited review timeframes specified in Table 1 above begin at the time the applicant has been contacted and has accepted entry into the program. If the applicant at this point decides not to be considered for expedited review, a letter must be faxed (404-363-7100) or emailed to the EPD Air Branch Permitting Manager to immediately request that the project not be considered for expedited review.
4. The applicant must pay the expedited review fee within ten business days of verbally accepting entry into the program. The expedited review fee must be paid by check. All payments must be made payable to Georgia Department of Natural Resources at:
Air Quality Fees
P.O. Box 101713
Atlanta, Georgia 30392
Please indicate your application number on the check. If the expedited review fee is not received by the specified deadline above, the project will no longer

qualify for expedited review and will be reviewed in accordance with the normal regulatory timeframes.

5. During the technical review of the permit application, staff may request clarifications or additional information needed to complete the review. The days needed to submit additional information to EPD will not be included in the timeframes in Table 1 above. The review clock will stop when the staff makes a written (via letter or e-mail) request to the applicant. EPD will specify a deadline to submit the additional information. The review clock will restart when the information requested is received by EPD.
6. If EPD receives a request for a public hearing related to a proposed expedited review project, after the application has been submitted, and EPD grants the request, 60 days will be added to the applicable expedited review deadline in Table 1 in order to schedule and notify the public of the hearing and to respond to all comments received during the public comment period and hearing. This applies to all public hearings, including those requested by the applicant. If EPD receives a request for a public hearing from the applicant as part of the application, and EPD grants the request, 30 days will be added to the applicable expedited review deadline in Table 1.
7. Expedited Permitting application fees will not be refunded except for highly controversial applications as described in 3.c. of the Eligibility section.

Eligibility

Title V Initial permit applications, Title V Renewal applications, Title V Minor Modifications without Construction, Title V Administrative Amendment requests, and any SIP permit application involving only a change in name and/or ownership shall not be eligible for the expedited permitting program. All other permit applications, except as outlined below, are eligible for the expedited permitting program and are encouraged to participate in the program. The following permit applications may not be eligible for expedited review, or may be removed from expedited review, as described below:

1. When an applicant does not submit additional information requested in item 5 in the Procedures section by the deadline specified by EPD, that application will no longer be eligible for expedited review. EPD may grant the applicant an extension to submit additional information upon request.
2. An applicant that is delinquent regarding their regular air permit fees is not eligible for expedited review.
3. EPD retains discretion to refuse entry into the expedited permitting program certain applications as described below. EPD will make every effort to identify these applications during the pre-application meeting and will work with the

applicant to review their application in a timely manner even if it is not accepted into the expedited permitting program. In some cases EPD may not identify a very controversial application until after it has been submitted.

- a. Applications that propose something that is highly unusual (including those that are unusually complex or large in scope making the expedited review time frame unrealistic);
- b. Applications determined to be of poor overall quality;
- c. Applications expected to be, or that turn out to be, very controversial. EPD will return the expedited application fee for any such project if it has already been received.

Fees

<u>Permit Type</u>	<u>Expedited Review Fee</u>
1. Generic Permit: Concrete Batch Plant – Minor Source	\$1,000
2. Generic Permit: Concrete Batch Plant – Synthetic Minor Source	\$1,500
3. Generic Permit: Hot Mix Asphalt Plant – Synthetic Minor Source	\$2,000
4. Minor Source Permit (or Amendment)	\$3,000
5. Synthetic Minor Permit (or Amendment)	\$4,000
6. Major Source SIP Permit not subject to PSD or 112(g)	\$6,000
7. Title V 502(b)(10) Permit Amendment	\$4,000
8. Title V Minor Modification with Construction	\$4,000
9. Title V Significant Modification	\$6,000
10. Major Source SIP Permit subject to 112(g) but not subject to PSD	\$15,000
11. PSD Permit (or Amendment) not subject to NAAQS and/or PSD Increment Modeling	\$15,000
12. PSD Permit (or Amendment) subject to NAAQS and/or PSD Increment Modeling but not subject to Modeling for PM _{2.5} , NO ₂ , or SO ₂	\$20,000
13. PSD Permit (or Amendment) subject to NAAQS and/or PSD Increment Modeling for PM _{2.5} , NO ₂ , or SO ₂	\$25,000
14. PSD Permit (or Amendment) subject to NAAQS and/or PSD Increment Modeling for PM _{2.5} , NO ₂ , or SO ₂ and also impacting a Class I Area	\$30,000
15. Nonattainment NSR Review Permit (or Amendment)	\$40,000
* Upon acceptance of application for the expedited permit program (separate 2-page application), EPD notifies by phone and then requires payment of the fee within 10 business days.	