Subparagraph (b), “Sulfur Dioxide,” of Rule 391-3-1-.02(4), “Ambient Air Standards,” is amended to read as follows:

(b) Sulfur Dioxide.

1. The level of the 1971 annual ambient air quality primary standard for oxides of sulfur is 0.030 parts per million (ppm), measured in the ambient air as sulfur dioxide (SO₂).

   (i) The annual primary standard is attained when the annual arithmetic mean, as determined in accordance with 40 CFR 50.4(d), is less than or equal to 0.030 ppm. The standard shall not be exceeded in a calendar year.

   (ii) The level of the 1971 annual ambient air quality primary standard shall be measured in the ambient air as sulfur dioxide by the reference method described in Appendix A of 40 CFR Part 50, or by a Federal Equivalent Method (FEM) designated in accordance with 40 CFR Part 53.

2. The level of the 1971 24-hour ambient air quality primary standard for oxides of sulfur for any successive nonoverlapping 24-hour blocks starting at midnight each calendar day is 0.14 ppm, measured in the ambient air as sulfur dioxide (SO₂).

   (i) The 24-hour primary standard is attained when the second-highest 24-hour average, as determined in accordance with 40 CFR 50.4(d), is less than or equal to 0.14 ppm. The standard shall not be exceeded more than once per calendar year.

   (ii) The level of the 1971 24-hour ambient air quality primary standard shall be measured in the ambient air as sulfur dioxide by the reference method described in Appendix A of 40 CFR Part 50, or by a FEM designated in accordance with 40 CFR Part 53.

31. The level of the 2010 1-hour ambient air quality primary standard for oxides of sulfur is 75 parts per billion (ppb), measured in the ambient air as sulfur dioxide (SO₂).
(i) The 1-hour primary standard is attained when the three-year average of the annual (99th percentile) of the daily maximum 1-hour average concentrations is less than or equal to 75 ppb, as determined in accordance with Appendix T of 40 CFR Part 50.

(ii) The level of the 2010 1-hour ambient air quality primary standard shall be measured by a reference method based on Appendix A or A–1 of 40 CFR Part 50, or by a Federal Equivalent Method (FEM) designated in accordance with 40 CFR Part 53.

42. The level of the 1971 3-hour ambient air quality secondary standard for oxides of sulfur for any successive nonoverlapping calendar day three-hour period, starting at midnight each calendar day is 0.5 ppm, measured in the ambient air as sulfur dioxide (SO₂).

(i) The 3-hour secondary standard is attained when the second-highest 3-hour average, as determined in accordance with 40 CFR 50.5(c), is less than or equal to 0.5 ppm. The standard shall not be exceeded more than once per calendar year.

(ii) The level of the 1971 3-hour ambient air quality secondary standard shall be measured in the ambient air as sulfur dioxide by the reference method described in Appendix A of 40 CFR Part 50, or by a FEM designated in accordance with 40 CFR Part 53.

Rule 391-3-1-.02(8), “New Source Performance Standards,” is amended to read as follows:

(8) New Source Performance Standards.

(a) General Requirement. No person shall construct or operate any facility or source which fails to comply with the New Source Performance Standards contained in 40 Code of Federal Regulations (hereinafter, CFR), Part 60, as amended, including but not limited to (unless specifically excluded below), the subparts hereby adopted through incorporation by reference in paragraph (b) of this subsection.

(b) New Source Performance Standards.

1. General Provisions. For purposes of applying New Source Performance Standards, 40 CFR Part 60 Subpart A (excluding 60.4 and 60.9), as amended October 7, 2020, is hereby incorporated and adopted by reference. The word “Administrator” as used in regulations adopted in this paragraph shall mean the Director of EPD.


56. Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and On or


73. Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators: 40 CFR Part 60 Subpart Ec, as amended September 6, 2013, is hereby incorporated and adopted by reference.

74. Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001: 40 CFR Part 60 Subpart AAAA, as promulgated December 6, 2000, is hereby incorporated and adopted by reference.


76. Standards of Performance for Other Solid Waste Incinerator Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced On or After June 16, 2006: 40 CFR Part 60 Subpart EEEE, as amended November 24, 2006, is hereby incorporated and adopted by reference.


87. Subpart PPPP - [reserved]


90. Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015: 40 CFR Part 60 Subpart OOOOa, as amended September 15, 2020, is hereby incorporated and adopted by reference.
Rule 391-3-1-.02(9), “Emission Standards for Hazardous Air Pollutants,” is amended to read as follows:

(9) Emission Standards for Hazardous Air Pollutants.

(a) General Requirements. The provisions of this section shall apply to any stationary source and to the owner or operator of any stationary source for which a standard is prescribed under 40 Code of Federal Regulations (hereinafter CFR), Parts 61 and 63, including, but not limited to (unless specifically excluded below) the subparts hereby adopted through incorporation by reference in subsection (b) of this section. For purposes of applying emission standards for hazardous air pollutants, 40 CFR, Parts 61 and 63 (excluding 61.04 and 61.16), as amended, are hereby incorporated by reference. The word “Administrator” as used in regulations adopted in this section shall mean the Director of EPD.

(b) Emission Standards for Hazardous Air Pollutants.


15. General Provisions. For purposes of applying Emission Standards for Hazardous Air Pollutants, 40 CFR Part 63 Subpart A, as amended November 19, 2021, is hereby incorporated and adopted by reference, subject to the following provisions:

(i) The definition of “Potential to Emit” in 40 CFR Part 63.2 shall be modified as follows:

(I) The phrase “is federally enforceable” shall read “is federally enforceable or enforceable as a practical matter.”

16. Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Paragraph 112(g): 40 CFR Parts 63.40 through 63.44, as amended June 30, 1999, is hereby incorporated and adopted by reference, subject to the following provisions:

(i) Terms used in this paragraph shall have the meaning given to them in the Clean Air Act, 40 CFR Part 63 Subparts A and B, and the Georgia Air Quality Act.

(ii) The “Effective Date of Paragraph 112(g)(2)(B),” as defined in 40 CFR Part 63.41, shall be June 29, 1998.

(iii) The “Notice of MACT Approval,” as defined in 40 CFR Part 63.41, shall be the air construction permit issued by the Division.

(iv) The “Permitting Authority,” as defined in 40 CFR Part 63.41, shall be the Division.

(v) In lieu of the administrative procedures for review of the Notice of MACT Approval, as set forth in 40 CFR Parts 63.43(f)(1) through (5), the Division will act in accordance with the
permitting requirements as set forth in Chapter 391-3-1-.03 Permits, as amended, and administrative procedures for preconstruction review and approval established by the Division.

(vi) In lieu of the opportunity for public comment on the Notice of MACT Approval, as set forth in 40 CFR Part 63.43(h), the Division will provide opportunity for public comment on the Notice of MACT Approval pursuant to Chapter 391-3-1-.03(2)(i).

(vii) The Notice of MACT Approval shall become effective upon issuance of the air construction permit by the Division.

17. Requirements for Control Technology Determinations for Major Sources in Accordance with the Clean Air Act sections 112(j): 40 CFR Part 63 Subpart B, Sections 63.50 through 63.56, as amended July 11, 2005, is hereby incorporated and adopted by reference.

18. [reserved]


21. Emission Standards for Organic Hazardous Air Pollutants from Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater: 40 CFR Part 63 Subpart G, as amended November 19, 2020, is hereby incorporated and adopted by reference. Only procedures listed in 63.112(e) of 40 CFR Part 63 Subpart G, shall be used to comply with the emission standard in 63.112(a) unless otherwise specifically approved by the Director.


25. [reserved]


30. [reserved]


36. [reserved]


40. [reserved]


43. Emission Standards for Hazardous Air Pollutants from Petroleum Refineries: 40 CFR Part 63 Subpart CC, as amended November 19, 2020, is hereby incorporated and adopted by reference. Only procedures listed in 63.642(k) of 40 CFR Part 63 Subpart CC shall be used to comply with the emission standard in 63.642(g).


46. [reserved]


66. [reserved]
67. [reserved]

68. [reserved]


72. [reserved]


77. [reserved]


85. [reserved]


89. [reserved]


91. [reserved]

92. [reserved]

94. [reserved]


104. [reserved]


133. [reserved]


140. [reserved]

141. Emission Standards for Hospital Ethylene Oxide Sterilizers: 40 CFR Part 63 Subpart WWWWW, as amended November 19, 2020, is hereby incorporated and adopted by reference.

142. [reserved]


145. [reserved]


153. [reserved]


155. [reserved]


165. [reserved]


176. [reserved]

177. [reserved]


Authority: O.C.G.A. Section 12-9-1 et seq., as amended.