

**SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
AIR QUALITY CONTROL, CHAPTER 391-3-1**

Rule 391-3-1-.01, “Definitions,” is being amended.

Purpose: This rule is being revised to update the definition of “Procedures for Testing and Monitoring Sources of Air Pollutants,” also known as PTM.

Main Features: The definition of “Procedures for Testing and Monitoring Sources of Air Pollutants” in subparagraph (nnnn) is being revised to reference the most recent version of the PTM dated January 31, 2025. Procedures are being updated to reflect revised testing and monitoring requirements for Performance and Compliance Testing, Incorporations by Reference, and General Control Device Requirements.

Rule 391-3-1-.02(2)(a)11., “Startup, Shutdown, and Malfunction Emissions for SIP-Approved Rules,” is being amended.

Purpose: This rule is being removed because it is no longer required. On June 12, 2015, the U.S. Environmental Protection Agency (EPA) published in the Federal Register a final action calling for Georgia to submit a State Implementation Plan (SIP) revision (i.e., a SIP call) to correct provisions inconsistent with Clean Air Act (CAA) requirements related to excess emissions during periods of startup, shutdown, and malfunction (SSM). Georgia EPD updated its SSM rules and submitted the updates as a SIP revision to EPA on September 13, 2023. On March 1, 2024, the U.S. Court of Appeals for the D.C. Circuit vacated EPA's SSM “SIP call” in part with respect to automatic exemptions, director's discretion provisions, and certain affirmative defense provisions. Based on the Court's vacatur, Georgia EPD is no longer required to update the Georgia SIP to meet EPA's SSM “SIP call.” Georgia EPD officially withdrew the 2023 SIP on June 25, 2024.

Main Features: Subparagraph 391-3-1-.02(2)(a)11. is being removed because it is no longer required.

Rule 391-3-1-.02(2)(mmm), “NOx Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity,” is being amended.

Purpose: This rule is being revised to add an exemption to allow the electric utilities to utilize emergency generators to provide power to the electric grid during

periods of power interruption or severe weather events. The rule is also being revised to add clarity to the definition of emergency standby stationary gas turbines and stationary engines, add a definition for emergency standby stationary engines at data centers, update a citation, correct grammar, and fix typographical errors.

Main Features:

Subparagraph (mmm)1.(iii) is being revised to add a comma after the year in the date. Subparagraph (mmm)2. is being revised to change the word “subsection” to “subparagraph”. Subparagraphs (mmm)3.(i) through (mmm)3.(iv) are being revised to change the word “paragraph” to “subparagraph” and add a period to the citation. Subparagraph (mmm)3.(iii) is also being revised to add a comma after the date. Subparagraph (mmm)3.(iv) is also being revised to remove an extra word. Subparagraph (mmm)4. is being revised to change the word “subsection” to “subparagraph”. Subparagraph (mmm)4.(i) is being revised to update the definition to clarify that routine maintenance and testing is included in the 200 hours per year limitation. Subparagraph (mmm)4.(v) is being added to include the definition for “Emergency standby stationary engines at data centers”. Subparagraph (mmm)5. is being revised to change the word “subsection” to “subparagraph”. Subparagraph (mmm)5.(vii) is being revised to update a citation. Subparagraph (mmm)5.(viii) is being added as an exemption for emergency engines as defined in (mmm)4.(i) and 4.(v) and stationary engines subject to (mmm)8. directed to operate when the local utility or balancing authority projects that it may be unable to meet system demand with available resources. Balancing is limited to no more than 50 hours per year as part of the 100 hours of annual maintenance and testing. Subparagraph (mmm)6. is being revised to change the word “subsection” to “subparagraph”. Subparagraph (mmm)7. is being revised to change the word “paragraph” to “subparagraph”. Subparagraph (mmm)8. is being revised to include more clarity for data centers by stating that if they meet the definition of subparagraph 4.(v) then they are not subject to the limitations in subparagraph 1.

Rule 391-3-1-.02(7), “Prevention of Significant Deterioration of Air Quality,” is being amended.

Purpose:

This rule is being revised so that the most recent version of the federal modeling guidelines is incorporated by reference, and to correct typographical errors.

Main Features:

Subparagraph (7)(a)1. is being revised to incorporate the most recent version of the modeling guidelines. In addition, subparagraphs (7)(a)1., 7(a)4.(ii), 7(b)15.(i), 7(b)15.(i)(I)III., and 7(b)15.(i)(II) are being revised to correct capitalization errors. Subparagraph 7(b)13.(i) is being revised to remove a space in a citation.

Rule 391-3-1-.02(8), “New Source Performance Standards,” is being amended.

Purpose: This rule is being revised to adopt the Federal Performance Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs and to fix typographical errors.

Main Features: Subparagraph (8)(a) is being revised to change the word “paragraph” to “subparagraph” and change the word “subsection” to “paragraph”. Subparagraphs (8)(b)1. for General Provisions; (8)(b)(15). for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984; (8)(b)32. for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983; (8)(b)33. for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983, and On or Before May 16, 2022; (8)(b)50. for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and On or Before November 7, 2006; (8)(b)52. for Bulk Gasoline Terminals; (8)(b)58. for Volatile Organic Compounds (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes; (8)(b)60. for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants; (8)(b)62. for Volatile Organic Compounds (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operation; (8)(b)66. for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Process; (8)(b)76. 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; (8)(b)77. for Stationary Compression Ignition Internal Combustion Engines; (8)(b)79. for Stationary Spark Ignition Internal Combustion Engines; (8)(b)80. for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006; (8)(b)84. for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015; (8)(b)90. for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015; and (8)(b)92. for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarbonization Vessels Constructed After May 16, 2022, are being revised to reflect the latest titles and amendment dates of the incorporated Federal rules.

Subparagraphs (8)(b)96. for Volatile Organic Liquid Storage Vessels

(Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After October 4, 2023; (8)(b)97. for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023; (8)(b)98. for Bulk Gasoline Terminals that Commenced Construction, Modification, or Reconstruction After June 10, 2022; (8)(b)99. for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023; (8)(b)100. for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023; and (8)(b)101. for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023, are being added.

Rule 391-3-1-.02(9), “Emission Standards for Hazardous Air Pollutants,” is being amended.

Purpose: This rule is being revised to adopt the Federal Emission Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs and to fix typographical errors.

Main Features: Subparagraph (9)(a) is being updated to change the word “section” to “paragraph” and change the word “subsection” to “subparagraph”. Subparagraphs (9)(b)15. for General Provisions; (9)(b)20. for the Synthetic Organic Chemical Manufacturing Industry; (9)(b)21. for Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater; (9)(b)22. for Equipment Leaks; (9)(b)23. for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks; (9)(b)26. for Coke Oven Batteries; (9)(b)29. for Ethylene Oxide Emissions Standards for Sterilization Facilities; (9)(b)32. for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations); (9)(b)35. for Group I Polymers and Resins; (9)(b)37. for Epoxy Resins Production and Non-Nylon Polyamides Production; (9)(b)43. for Petroleum Refineries; (9)(b)48. for Source Categories: Oil & Natural Gas Production Facilities; (9)(b)65. for Source Categories: Generic Maximum Achievable Control Technology Standards; (9)(b)74. for Source Categories: Natural Gas Transmission and Storage Facilities; (9)(b)83. for Primary Copper Smelting; (9)(b)97. for Organic Liquid Distribution (non-gasoline); (9)(b)98. for Miscellaneous Organic Chemical Manufacturing; (9)(b)116. for Tire Manufacturing; (9)(b)118. for Stationary Reciprocating Internal Combustion Engines; (9)(b)119. for Lime Manufacturing Plants; (9)(b)121. for Coke Ovens: Pushing, Quenching, and Battery Stacks;

(9)(b)124. for Integrated Iron and Steel Manufacturing; (9)(b)136. for Taconite Iron Ore Processing; (9)(b)139. for Coal- and Oil-Fired Electric Utility Steam Generating Units; (9)(b)146. for Source Category: Gasoline Bulk Terminals, Bulk Plants, and Pipeline Facilities; and (9)(b)149. for Primary Copper Smelting Area Sources are being revised to reflect the latest titles and amendment dates of the incorporated Federal rules.

STATEMENT OF RATIONALE
Rules for Air Quality Control

Rule 391-3-1-.01 – Definitions.

The basis of this rule is to provide definitions for terms used in the Georgia Rules for Air Quality Control, Chapter 391-3-1. The purpose of this revision is to update the definition of “Procedures for Testing and Monitoring Sources of Air Pollutants” (PTM) to reference the most recent version of the PTM dated January 31, 2025.

Rule 391-3-1-.02(2)(a)11. – Startup, Shutdown, and Malfunction Emissions for SIP-Approved Rules

The basis of this rule was to provide the ability for sources to request alternative emission limitations during periods of startup, shutdown, and malfunction. The purpose of this revision is to remove this rule since it is no longer required.

Rule 391-3-1-.02(2)(mmm) – NO_x Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity.

The basis of this rule is to specify requirements for NO_x emissions from stationary gas turbines and stationary engines used to generate electricity. The purpose of this revision is to add an exemption to allow the electric utilities to utilize emergency generators to provide power to the electric grid during periods of power interruption or a severe weather event. The rule is also being revised to add clarity to the definition of emergency standby stationary gas turbines and stationary engines, add a definition for emergency standby stationary engines at data centers, update a citation, correct grammar, and fix typographical errors.

Rule 391-3-1-.02(7) – Prevention of Significant Deterioration of Air Quality.

The basis of this rule is to implement the major new source review program in attainment areas known as “Prevention of Significant Deterioration” or PSD. The purpose of this revision is to adopt and incorporate by reference the most recent version of the modeling guidelines required by EPA and to correct typographical errors.

Rule 391-3-1-.02(8) – New Source Performance Standards.

The basis of this rule is to adopt the Federal New Source Performance Standards (NSPS) by reference. The purpose of this revision is to include the latest amendment dates and all associated changes into the Georgia rules and to fix typographical errors.

Rule 391-3-1-.02(9) – Emission Standards for Hazardous Air Pollutants.

The basis of this rule is to adopt the National Emission Standards for Hazardous Air Pollutants (NESHAP) by reference. The purpose of this revision is to include the latest amendment dates and all associated changes into the Georgia rules and to fix typographical errors.

The proposed rule revisions are required to comply with federal requirements or are administrative in nature. They are in no way any more restrictive than the federal requirements. They do not incur any additional costs to the regulated industry, local government, or public other than those required to meet the federal rule.