

Rule (aaa) "Consumer and Commercial Products," is amended to read as follows:

(aaa) Consumer and Commercial Products, [reserved]

~~1. This subsection is applicable to any person who supplies or sells consumer and commercial products limited by this subsection within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties.~~

~~2. No person shall, after January 1, 1996, within the counties listed in paragraph 1., supply, offer for sell, or sell any automobile windshield washer fluids which contain VOC's as an active ingredient, or solvent in a concentration greater than 8.0% by weight.~~

~~3. Administrative Requirements:~~

~~(i) Each container of any fluid subject to this subsection shall display the maximum VOC content of the fluids as a percent by weight. The VOC content displayed may be calculated using product formulation data, or may be determined using the test method specified in Section (3) "Sampling".~~

~~4. The requirements of this subsection do not apply to automobile windshield washer fluids manufactured for use outside of the counties listed in paragraph 1. or for shipment to other manufacturers for repackaging where the seller can provide documentation that the product is to be subsequently marketed outside of these counties or for supply in new vehicles for original sale.~~

Rule (bbb) "Gasoline Marketing," is amended to read as follows:

(bbb) Gasoline Marketing, [reserved]

~~1. General Requirements:~~

~~(i) No person may produce, store, transport, supply, offer to supply, transfer or otherwise handle, sell, offer for sale, or dispense gasoline that does not meet the limits specified in this subsection when tested in accordance with the test methods specified in this subsection, unless the gasoline is segregated and clearly documented as not for sale or supply to an ultimate consumer in the following 25 counties: Barrow, Bartow, Butts, Carroll, Cherokee, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Haralson, Henry, Jackson, Newton, Paulding, Pickens, Rockdale, Spalding, and Walton.~~

~~(ii) Gasoline which meets the limits specified in this subsection shall also be segregated and clearly documented as such.~~

~~(iii) Effective April 1, 2003, the above requirements shall apply within an expanded area which includes the following additional 20 counties: Banks, Chattooga, Clarke, Floyd, Gordon, Heard, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pike, Polk, Putnam, Troup, and Upson.~~

~~2. Reid Vapor Pressure.~~

~~(i) Effective June 1, 1999, during the period from June 1 to September 15 of any calendar year, the Reid vapor pressure of the gasoline shall not exceed 7.0 psi. The Reid vapor pressure of gasoline sampled from any downstream location shall not exceed 7.3 psi.~~

~~(ii) An ethanol blend is considered in compliance if its measured Reid vapor pressure does not exceed 8.0 psi. This waiver is subject to the following conditions:~~

~~(I) Gasoline must contain denatured, anhydrous ethanol. The concentration of ethanol, excluding the required denaturing agent, must be at least 9 percent and no more than 10 percent (by volume) of the gasoline.~~

~~(II) Each invoice, loading ticket, bill of lading, delivery ticket and any other document that accompanies a shipment of gasoline containing ethanol shall contain a legible and conspicuous statement that the gasoline being shipped contains ethanol and the percentage concentration of ethanol.~~

~~3. Sulfur Content.~~

~~(i) Effective April 1, 1999 and subsequent years through March 31, 2003, the sulfur content of all gasoline supplied by each producer or importer to comply with the Reid vapor pressure limits specified in paragraph 2 and designated for the counties listed in subparagraph 1.(i) shall not exceed a seasonal average of 150 ppm (by weight) and, effective April 1, 2001, a per-gallon cap of 500 ppm (by weight). For the control period within any individual calendar year, the sulfur content shall be averaged on a volume-weighted basis over the pool of gasoline supplied by the producer or importer in accordance with this subsection. The sulfur content of gasoline sampled at any downstream location shall not exceed 565 ppm (by weight).~~

~~(ii) Effective April 1, 2003, through September 15, 2003, the sulfur content of all gasoline supplied by each producer or importer and designated for the counties listed in subparagraphs 1.(i) and (iii) shall not exceed a quarterly average of 90 ppm (by weight) and a per-gallon cap of 200 ppm (by weight). For each calendar quarter or portion thereof, the sulfur content shall be averaged on a volume-weighted basis over the pool of gasoline supplied by the producer or importer in accordance with this subsection during the subject calendar quarter. Effective June 1, 2003, the sulfur content of gasoline sampled at any downstream location, shall not exceed 230 ppm (by weight).~~

~~(iii) Effective September 16, 2003, the sulfur content of all gasoline supplied by each producer or importer and designated for the counties listed in subparagraphs 1.(i) and (iii) shall not exceed an annual average of 30 ppm (by weight) and a per-gallon cap of 150 ppm (by weight). For each calendar year, the sulfur content shall be averaged on a volume-weighted basis over the pool of gasoline supplied by the producer or importer in accordance with this subsection during the subject calendar year. Product supplied under this subsection during the period, September 16, 2003 through December 31, 2003, shall be included and averaged in the calendar year 2004 annual report due by March 1, 2005. Effective January 1, 2004, the sulfur content of gasoline sampled at any downstream location shall not exceed 175 ppm (by weight).~~

~~(iv) Effective June 1, 2004, the sulfur content of all gasoline supplied by each producer or importer and designated for the counties listed in subparagraphs 1(i) and (iii) shall not exceed a seasonal per-gallon cap of 80 ppm (by weight) for the period June 1 through September 15 of each calendar year. The sulfur content of gasoline sampled at any downstream location shall not exceed 95 ppm (by weight) during each June 1 through September 15th season.~~

~~4. Reporting.~~

~~(i) Effective April 1, 1999, the producer or importer shall submit documentation of the Reid vapor pressure and sulfur content of the first shipment of gasoline in each calendar year subject to the limits specified in this subsection and designated for the counties specified in subparagraph 1.(i). This documentation shall be submitted to the Division in the format specified by the Division within 30 days of the first shipment in each calendar year.~~

~~(ii) Effective April 1, 2003, the producer or importer shall submit documentation of the Reid vapor pressure and sulfur content of the first shipment of gasoline in that calendar year subject to the limits specified in this subsection and designated for the counties specified in subparagraphs 1.(i) and (iii). This documentation shall be submitted to the Division in the format specified by the Division within 30 days of the first shipment.~~

~~(iii) Beginning April 1, 2003, the producer and importer shall provide to the Division in the format specified by the Division a quarterly report summarizing any required records and/or test results pursuant to this subsection within 60 calendar days following the end of each calendar quarter. Quarterly reports shall include a record of all product provided pursuant to this subsection and not previously reported to the Division.~~

~~The producer, importer and carrier shall provide to the Division in the format specified by the Division an annual report summarizing any required records and/or test results pursuant to this subsection by March 1 following the end of each calendar year.~~

~~(iv) The producer, importer and carrier shall provide to the Division any records required to be maintained pursuant to this subsection within 10 business days of a written request from the Division.~~

~~5. Testing and Recordkeeping.~~

~~(i) Producers.~~

~~(1) Refinery-level Sampling and Testing.~~

~~Each producer shall sample and test for the Reid vapor pressure, and effective April 1, 1999, the sulfur content in each batch of gasoline that the producer has produced for the purpose of complying with this subsection, by collecting and analyzing a representative sample of gasoline taken from the batch at the refinery, using the methodologies specified in paragraph 6. A producer may choose to meet the testing requirements of this paragraph by utilizing the same samples and test results used for meeting the federal RFG and/or antidumping regulations. If a producer blends gasoline components directly to pipelines, storage tanks, tankships, railway tankcars or trucks and trailers, the loading(s) shall be sampled and tested by the producer or~~

~~authorized contractor. The producer shall maintain, for two years from the date of each sampling, records showing the sample date, the product sampled, the container or other vessel sampled, the volume of the shipment, results of any required testing, the name and address of the laboratory that performed the analysis, and the pool volume-weighted average for the respective calendar years of the components limited by this subsection.~~

~~(II) Terminal-level Sampling.~~

~~Effective May 1 of each calendar year beginning in 2001, the producer shall conduct volume-weighted, terminal-level sampling of gasoline received and intended for sale or supply during the control period in any of the applicable counties listed in subparagraph 1.(i) in calendar years 2001 through 2002 or 1.(i) and (iii) in 2003 and beyond. A composite sample will be obtained on every continuous movement of each distinct grade of low RVP/low sulfur gasoline at a pipeline breakout tankage. The composite sample will be obtained automatically with a non-pressurized automatic sampler, or manually through head-end, middle, and tail-end spot samples. Each distinct grade of low RVP/low sulfur gasoline will be composited separately. All samples thus taken shall be delivered to EPD or it's designate for further testing and analysis.~~

~~(III) Notwithstanding the provisions of subparagraph (II) above, the producer is not required to provide terminal-level sampling if the Division provides notice that the Division's field testing from the previous calendar year indicates a June 1 to September 15 seasonal arithmetic average sulfur content of 85 ppm or less for 2003 and an annual arithmetic average sulfur content of 30 ppm or less beginning January 1, 2004.~~

~~(ii) Importers.~~

~~(I) Refinery-level Testing.~~

~~Each importer shall provide test results for the Reid vapor pressure, and effective April 1, 1999, sulfur content of each batch aggregated in each shipment of gasoline that the importer intends to import or will import into the State of Georgia, by pipeline or other means, for the purpose of complying with this subsection, by ensuring that a representative sample of gasoline is taken from the batch at the refinery and analyzed, using the methodologies specified in paragraph 6. An importer may choose to meet the testing requirements of this paragraph by utilizing the same samples and test results used for meeting the federal RFG and/or antidumping regulations. If an importer blends gasoline components directly to pipelines, storage tanks, tankships, railway tankcars or trucks and trailers, the loading(s) shall be sampled and tested by the importer or authorized contractor. The importer shall maintain, for two years from the date of each sampling, records showing the sample date, the product sampled, the container or other vessel sampled, the volume of the shipment, results of any required testing, the name and the address of the laboratory that performed the analysis, final destination of the batch, and the pool volume-weighted average for the respective calendar years of the components limited by this subsection.~~

~~(II) Terminal-level Sampling.~~

~~Effective May 1 of each calendar year beginning in 2001, the importer shall conduct volume-weighted, terminal-level sampling of gasoline received and intended for sale or supply during~~

~~the control period in any of the applicable counties listed in subparagraph 1.(i) in calendar years 2001 through 2002 or 1.(i) and (iii) in 2003 and beyond. A composite sample will be obtained on every continuous movement of each distinct grade of low RVP/low sulfur gasoline at a pipeline breakout tankage. The composite sample will be obtained automatically with a non-pressurized automatic sampler, or manually through head-end, middle, and tail-end spot samples. Each distinct grade of low RVP/low sulfur gasoline will be composited separately. All samples thus taken shall be delivered to EPD or it's designate for further testing and analysis.~~

~~(III) Notwithstanding the provisions of subparagraph (II) above, the importer shall not provide terminal-level sampling if the Division provides notice that the Division's field testing from the previous calendar year indicates a June 1 to September 15 seasonal arithmetic average sulfur content of 85 ppm or less for 2003 and an annual arithmetic average sulfur content of 30 ppm or less beginning January 1, 2004.~~

~~(iii) Carriers.~~

~~Each carrier shall maintain, for two years from the date of entry, records indicating the volume of each batch of transported gasoline, the producers and/or importers which contributed to each batch, date of receipt, identity of the destination, date of delivery to the destination, and recipient of each batch of gasoline delivered to any destination for distribution to any of the applicable counties specified in subparagraphs 1.(i) and (iii).~~

~~6. Test Methods.~~

~~(i) In determining compliance with the standards set forth in this subsection, the test methods presented in Table (bbb)1 shall be used. ASTM D-4057 or ASTM D-4177 shall be used for sampling of materials used in these tests. All identified test methods are incorporated and adopted herein by reference.~~

TABLE (bbb)1

Gasoline Specification	Test Method
Reid Vapor Pressure	ASTM D 5191*
Sulfur Content	ASTM D 2622 or ASTM D 5453

~~* In lieu of equation 1 in section 13.2 of the test method, use the following:~~

$$\text{RVPE, psi} = 0.956X - 0.347$$

~~where:~~

~~RVPE = equivalent Reid vapor pressure
X = measured total vapor pressure in psi~~

~~(ii) Equivalent Test Methods.~~

~~Whenever this paragraph provides for a specified test method, another test method may be used following a determination by the Director that the other method produces results equivalent to the results with the specified method.~~

7. Definitions.

~~For the purpose of this subsection, the following terms have the meanings indicated unless otherwise specified.~~

~~(i) "Carrier" means any distributor who transports or causes the transportation or storage of gasoline without taking title to or otherwise having any ownership of the gasoline, and without altering either the quality or quantity of the gasoline.~~

~~(ii) "Ethanol blend" means gasoline which contains at least 9 percent and no more than 10 percent (by volume) ethanol, excluding denaturants.~~

~~(iii) "Gasoline" means any fuel sold for use in spark ignition engines and which is commonly or commercially known or sold as gasoline, including oxygenated gasoline.~~

~~(iv) "Importer" means any person who transports gasoline from another state or a foreign country into the state of Georgia.~~

~~(v) "Producer" means any person who manufactures gasoline in Georgia.~~

~~(vi) "Retailer" means a person operating an establishment at which motor fuel is sold or offered for sale to an ultimate consumer.~~

~~(vii) "Ultimate consumer" means a person who purchases or obtains motor fuel for direct consumption in a motor vehicle and who does not transfer or offer to transfer the motor fuel to any other person following purchase or receipt.~~

~~(viii) "Wholesale purchaser-consumer" means any organization that is an ultimate consumer of gasoline and which purchases or obtains gasoline from a supplier for use in motor vehicles and receives delivery of that product into a storage tank under the control of that organization.~~

Rule (mmm) "NO_x Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity," is amended to read as follows:

(mmm) NO_x Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity.

1. No person shall cause, let, suffer, permit, or allow the emission of nitrogen oxides (NO_x), from any stationary gas turbine or any stationary engine used to generate electricity whose nameplate capacity is greater than or equal to 100 kilowatts (KWe) and is less than or equal to 25 megawatts (MWe), to exceed the following:

(i) For stationary engines in operation before April 1, 2000:

160 ppm @ 15% O₂, dry basis

(ii) For stationary engines installed or modified on or after April 1, 2000:

80 ppm @ 15% O₂, dry basis

(iii) For stationary gas turbines in operation on or after January 1, 1999 and before October 1, 1999:

42 ppm @ 15% O₂, dry basis

(iv) For stationary gas turbines installed or modified on or after October 1, 1999:

30 ppm @ 15% O₂, dry basis

2. The requirements of this subsection shall apply during the period May 1 through September 30 of each year.

3. Compliance Dates.

(i) For stationary engines in operation before April 1, 2000, the affected unit shall comply with the applicable standard under paragraph 1 above by May 1, 2003.

(ii) For stationary engines installed or modified on or after April 1, 2000, the affected unit shall comply with the applicable standard under paragraph 1 upon startup of the affected unit.

(iii) For stationary gas turbines in operation on or after January 1, 1999 and before October 1, 1999, the affected unit shall comply with the applicable standard under paragraph 1 above by May 1, 2000.

(iv) For stationary gas turbines in installed or modified on or after October 1, 1999, the affected unit shall comply with the applicable standard under paragraph 1 upon startup of the affected unit.

4. For the purpose of this subsection, the following definitions apply:

(i) "Emergency standby stationary gas turbines and stationary engines" means any stationary gas turbine or stationary engine that operates only when electric power from the local utility is not available and which operates less than 200 hours per year.

(ii) "Modified" shall be as defined in 40 CFR 60.14.

(iii) "Stationary engine" means any spark or compression ignited internal combustion engine which is either attached to a foundation at a facility or is portable equipment located at a specific facility.

(iv) "Stationary gas turbine" means any gas turbine that is gas and/or liquid fueled with or without power augmentation. It is either attached to a foundation at a facility or is portable equipment located at a specific facility.

5. Exemptions.

The following units are exempt from the provisions of this subsection:

- (i) Stationary engines used to power portable rock crushing plants.
- (ii) Stationary engines used directly and exclusively for agricultural operation necessary for the growing of crops or the raising of fowl or animals.
- (iii) Stationary gas turbines and stationary engines not connected to an electrical generator.
- (iv) Laboratory engines or gas turbines used for research and testing purposes.
- (v) Engines or gas turbines operated by the manufacturer or distributor of such equipment for purposes of performance verification and testing at the production facility.
- (vi) Portable, temporary generators used for special events (i.e. county fair, circus) provided the event does not last more than 14 days.
- (vii) Nonroad engines as defined in 40 CFR 89.2.

6. The requirements contained in this subsection shall apply to all such sources located in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton.

7. Emergency standby stationary gas turbines and stationary engines which meet the definition stated in paragraph 4.(i) are not subject to the emission limitations of paragraph 1.

8. Stationary engines at data centers that meet all of the following criteria are not subject to the emission limitations in subparagraph 1:

- (i) Operate only for routine testing and maintenance, when electric power from the local utility is not available, or during internal system failures;
- (ii) Total annual operation for the engine is less than 500 hours per year;
- (iii) Operation for routine testing and maintenance during the months of May through September occurs only between 10 p.m. to 4 a.m. Operation for routine testing and maintenance during the months of January through April and October through December may be done during any time of day; and
- (iv) The facility maintains records of all operation, including the reason for the operation.

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