

Georgia Department of Natural Resources
Environmental Protection Division

2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334
Judson H. Turner, Director
(404) 656-4713

JAN 22 2015

Ms. Heather McTeer Toney
Regional Administrator
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-3104

RE: Amendment to State Implementation Plan for the Removal of the Clean Fuel Fleet Program

Dear Ms. Toney:

The Georgia Environmental Protection Division (EPD) is submitting a revision to Georgia's State Implementation Plan (SIP) for approval and incorporation, along with a request to move its Clean Fueled Fleet Rules, Georgia Chapter 391-3-22, to contingency measures in a manner consistent with the requirements of 110(l) of the Clean Air Act (CAA) and EPA's current and proposed anti-backsliding provisions.

The Clean Fueled Fleet Rules, Georgia Chapter 391-3-22, was adopted May 2, 1994 to meet the Clean Fuel Fleet Program (CFFP) requirements of section 182(c)(4) of the CAA for areas that have been designated serious nonattainment or above for the ozone National Ambient Air Quality Standards (NAAQS). CFFP is listed as an applicable requirement in 40 CFR 51.900(f) (as well as in the proposed list of applicable requirements in 40 CFR 51.1100(o)). The Atlanta area was previously classified as severe for the previous 1-hour ozone NAAQS. The area was re-designated as attainment on June 15, 2005 [70FR 34660]. The Atlanta area was subsequently designated as nonattainment and classified as moderate for the 1997 8-hour ozone NAAQS. The Atlanta area was re-designated as attainment for the 1997 standard on December 2, 2013 [78FR 72040], prior to revocation of that standard. The Atlanta area is currently classified as a marginal nonattainment area for the 2008 8-hour ozone NAAQS [73 FR 16483].

Because the Atlanta area has attained the 1997 ozone NAAQS prior to revocation of that standard, the Clean Fueled Fleets Rules may be shifted to contingency measures, consistent with sections 110(l) and 193 of the CAA. Section 193 is a general savings clause pertaining to regulations, standards, rules, notices, orders, and guidance promulgated or issued prior to November 15, 1990. Therefore, the substantive CAA provision EPD will demonstrate compliance with in this demonstration is that of section 110(l).

40 CFR 51.905(b) anti-backsliding requirements regarding the implementation of applicable requirements state that after an area attains the 8-hour ozone NAAQS,

"A State remains subject to the obligations under paragraphs (a)(1)(i) and (a)(2) of this section until the area attains the 8-hour NAAQS. After the area attains the 8-hour

NAAQS, the State may request such obligations be shifted to contingency measures, consistent with sections 110(l) and 193 of the CAA..."

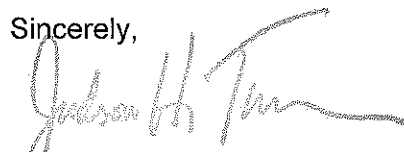
Included in this submittal is a support document Attachment A: Supporting Documentation for 110(l) and 193 Demonstration Georgia Chapter 391-3-22, Georgia's Clean Fueled Fleet Rules demonstrating that Georgia EPD's request that the Clean Fueled Fleet Rules be removed and be shifted to the State's contingency measures within the SIP is consistent with sections 110(l) and 193 of the CAA.

The public notice of the proposed plan was published November 7, 2014, on GovDelivery.com. The proposed plan was the subject of a public hearing held on December 8, 2014, with the public comment period ending December 15, 2014. EPD received no comments.

As required by the federal SIP-processing regulations, we have enclosed certifications that the required public notices were provided and that public hearings were held. We have also enclosed the administrative materials and technical support to satisfy the SIP submittal completeness criteria checklist. This submittal includes one paper copy of the relevant document and a compact disk with an electronic version of the document. The electronic version is an exact duplicate of the paper copy.

A copy of this submittal will be sent to the EPA Region 4 associates noted below. We look forward to your review and approval of these revisions. Should you or your staff have any questions, please feel free to contact Jimmy Johnston at (404) 363-7014.

Sincerely,



Judson H. Turner
Director

JHT:EM

Attachments:

Attachment A: Supporting Documentation

Attachment B: July 2, 2004, Leila H. Cook Memo: Clean Fuel Fleet Program

July 21, 2005, Memo to Manufacturers: Clean Fuel Vehicle Standards

April 17, 2006, Leila H. Cook Memo to Air Directors: Clean Fuel Fleet Program Requirements

Attachment C: CFFP Rule Package

c: Scott Davis, EPA Region 4
Lynorae Benjamin, EPA Region 4
Katy Lusky, EPA Region 4
Keith Bentley, Branch Chief, EPD Air Protection Branch