



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

12/20/2024

MEMORANDUM

TO: Stationary Source Permitting Program, Air Protection Branch

FROM: Jeffrey W. Cown, Director *JWC*
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 (hereinafter “Division”) - Air Protection Branch are approved. O.C.G.A. 12-2- 2(c)(1)(A) requires the Director of the Division 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 became effective on July 1, 2013. The attached updated Standard Operating Procedures define how the expedited permitting program will operate within Division’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. The Division 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 the Division has the resources to adequately implement the program.

Enclosure

Jeffrey W. Cown, Director

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Updated January 1, 2025

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 (hereinafter “Division”) 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 became effective on July 1, 2013. The following updated Standard Operating Procedures define how the expedited permitting program will operate within the Division’s Air Protection Branch.

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

The Division’s Air Protection Branch handles many different types of air quality permits. These permits are subject to various state and federal requirements primarily based on the following:

- The type of facility;
- The potential to emit criteria pollutants and Hazardous Air Pollutants (HAPs);
- Whether or not the facility is undergoing a construction project or is changing a method of operation; and/or
- Whether the application is for a new facility or for a change to an existing facility.

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. The Division 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. The Division will continue to strive for timeliness in permitting for all applicants and 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 the Division has the resources to adequately implement the program.

Eligibility

Title V Initial Permit applications, Title V Renewal applications, Title V Administrative Amendment requests, and any SIP permit application involving only a change in name and/or ownership are not eligible for the expedited permitting program. Most other permit applications, except as outlined below in Item #2, are eligible for the expedited permitting program and applicants are encouraged to participate in the program.

1. The following permit applications may not be eligible for expedited review, or may be removed from expedited review, as described below:
 - a. When an applicant does not submit additional information requested by the deadline specified by the Division, that application will no longer be eligible for expedited review. The Division may grant the applicant an extension to submit additional information upon request.
 - b. An applicant that is delinquent regarding their regular air permit fees is not eligible for expedited review.
2. The Division reserves the right to deny acceptance in the Expedited Permitting Program. The Division 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, the Division 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; and/or
 - c. Applications expected to be, or that turn out to be, very controversial. The Division will return the expedited application fee for any such project if it has already been received.

Applicant Responsibilities Under the Program

1. 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. The Division may request additional meetings with the applicant during the technical review of the application as needed. To arrange a meeting, call or email Steve Allison, SSPP Manager, at 404-363-7020 or steve.allison2@dnr.ga.gov.
2. Submit the Expedited Permitting Program-Application (2-page application form) for Entry to Program for Air Permits with the permit application.
3. Ensure that the permit application is reviewed for high quality, completion, and accuracy by the applicant. The permit application must be considered complete in order to be considered for the program.
4. Minimize changes to the application after it is submitted. The Division understands that the design of a project may be ongoing. However, significant changes to the application during the Division's review period may require additional time to the review period to accommodate the change.
5. Submit payment to the Division within 10 days after acceptance into the expedited permitting program. In writing (via letter or email). The expedited 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

6. Submit timely responses to the Division's requests for additional information during the technical and regulatory review by the required deadlines.

Division's 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 adequately complete in order to be considered for the program.
2. The applicant will be notified of their selection for expedited review by phone and/or email within five business days of receipt of the application. Once contacted, the applicant must accept or reject their entry into the program in writing (by letter or email). If the Division 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 the Division to determine if their project was selected for expedited review.
3. The expedited review timeframes specified in Appendix A of this SOP begin at the time the applicant has been contacted and has accepted entry into the program (in writing by letter or email). If the applicant at this point decides not to be considered for expedited review, a letter must be emailed to the Division's Air Branch Permitting SSPP Manager (Steve Allison, steve.allison2@dnr.ga.gov) to immediately request that the project **not** be considered for expedited review.
4. 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 the Division will not be included in the timeframes in Appendix A of this SOP when progress on the permit can no longer continue without the information. The review clock will stop when the staff makes a written (via letter or e-mail) request to the applicant. The Division will specify a deadline to submit the additional information. The review clock will restart when the information requested is received by the Division.
5. If the Division receives a request for a public hearing related to a proposed expedited review project after the application has been submitted, and the Division grants the request, 60 days will be added to the applicable expedited review deadline in Appendix A of this SOP 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 the Division receives a request for a public hearing from the applicant as part of the application, and the Division grants the request, 30 days will be added to the applicable expedited review deadline in Appendix A of this SOP.
6. Expedited Permitting application fees will not be refunded, except for highly controversial applications as described in the Eligibility Section (Item 2.c.) of this SOP.

Appendix A: Expedited Permitting Fee Schedule and Timeline

Appendix A containing the Expedited Permitting Fee Schedule and Timeline can be found at:

<https://epd.georgia.gov/forms-permits/air-protection-branch-forms-permits/air-permits/expedited-permitting-program>