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

The Rules of the Department of Natural Resources, Chapter 391-3-1, Air Quality Control are hereby amended, added to, repealed in part, revised, as hereinafter explicitly set forth in the attached amendments, additions, partial repeals, and revisions for specific rules, or such subdivisions thereof as may be indicated.

[Note: Underlined text is proposed to be added. Lined-through text is proposed for deletion.]

Rule 391-3-1-.02(2), "Emission Limitations and Standards," is amended to read as follows:

(2) Emission Limitations and Standards.

(a) General Provisions.

1. No person owning, leasing or controlling the operation of any air contaminant sources shall willfully, negligently or through failure to provide necessary equipment or facilities or to take necessary precautions, cause, permit, or allow the emission from said air contamination source or sources of such quantities of air contaminants as will cause, or tend to cause, by themselves or in conjunction with other air contaminants a condition of air pollution in quantities or characteristics or of a duration which is injurious or which unreasonably interferes with the enjoyment of life or use of property in such area of the State as is affected thereby. Complying with any of the other paragraphs of these rules and regulations or any subparagraphs thereof, shall in no way exempt a person from this provision.

2. In cases where more than one paragraph of these regulations applies, the paragraph allowing the least emission of air contaminants to the atmosphere shall prevail.

3. Notwithstanding any other emission limitation or other requirement provided in the regulations, more stringent emission limitations or other requirements may be required of a facility as deemed necessary by the Director to:

(i) meet any existing Federal laws or regulations; or

(ii) safeguard the public health, safety and welfare of the people of the State of Georgia.

4. Notwithstanding any other requirement of this Chapter, in no event shall that part of a stack which came into existence after December 31, 1970, which exceeds good engineering practice stack height or any other dispersion technique, be taken into account for the purpose of determining the degree of emission limitations required for control of any pollutant for which there is an ambient air standard established under the Act of the Federal Act. The terms and definitions of "dispersion techniques", "good engineering practice (GEP)", "nearby" and "excessive concentration" are those definitions found in 40 CFR 51.100(hh), (ii), (jj) and (kk) respectively.

5. If the Director finds, after notice and opportunity for public hearing that a particular instance of violation or noncompliance by a source, owner, or operator, with any emission limitation or standard or other requirement under the Act, is de minimis (as defined pursuant to 42 U.S.C. Section 7420 as amended) in nature, and duration, he may, as allowed by the Act and the Federal Act, exempt such source, owner or operator from the noncompliance penalties provided in Section 22 of the Act.

6. VOC Emission Standards, Exemptions, Area Designations, Compliance Schedules and Compliance Determinations.

(i) Exemptions and Area Designations.

(I) Sources located outside Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties whose potential emissions of volatile organic compounds are not more than 100 tons per year shall not be subject to subparagraphs (u), (v), (x), (aa) through (ff) [inclusive], (hh), (kk), (ll), (nn), and (qq) of this paragraph 391-3-1-.02(2).

(II) Sources used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance shall not be subject to subparagraphs (t) through (ff) [inclusive], (hh) through (nn) [inclusive], (qq), and (tt) of this paragraph 391-3-1-.02(2), provided:

I. The operation of the source is not an integral part of the production process; and provided;

II. The emissions from the source do not exceed 800 pounds in any calendar month; and provided;

III. The exemption from such source is approved in writing by the Director.

(III) Sources located within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties whose actual emissions of volatile organic compounds are less than 15 pounds per day shall not be subject to subparagraphs (u), (v), (x), (aa) through (ff) [inclusive], (kk), (ll), and (qq) of this paragraphs 391-3-1-.02(2).

(IV) Coatings, inks and other VOC-containing materials in use at sources of VOC emissions subject to any limitations or requirements of subparagraphs (t) through (aa) [inclusive], (ii), (jj), (mm), and (tt) of this paragraph 391-3-1-.02(2) shall not be subject to any requirements of such subparagraphs, provided the source's total aggregate use of such materials is not in excess of 55 gallons per year and such exemption is approved in writing by the Division.

(V) Sources located within Barrow, Bartow, Carroll, Hall, Newton, Spalding, or Walton Counties whose actual emissions of volatile organic compounds are greater than or equal to 15 pounds per day shall be subject to subparagraphs (u), (v), (x), (aa) through (ff) [inclusive], (hh), (kk), (ll), (nn), and (qq) of this paragraph 391-3-1-.02(2) effective January 1, 2015. The requirements of this subparagraph (V) will no longer be applicable if the counties specified in this subparagraph (V) are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in these counties or the counties specified in subparagraph (III) above, the requirements of this subparagraph (V) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

(VI) When determining applicability for a standard specified in this subparagraph 6.(i), only those emission sources that belong to the source category covered by each specific standard shall be included when compared against the applicability thresholds and provisions included in this subparagraph 6.(i).

(ii) Compliance Schedules.

(I) All sources of VOC emissions subject to any limitation or requirement of, or under, paragraph 391-3-1-.02(2) prior to the effective date of this amended Rule 391-3-1-.02, shall be in compliance or on an approved compliance schedule.

(iii) Compliance Determinations.

(I) Compliance determinations for coatings expressed as pounds of VOC per gallon of coating, excluding water, shall treat organic compounds that are not defined as VOCs as water for purposes of calculating the “excluding water” part of the coating composition.

7. Excess Emissions.

(i) Excess emissions resulting from startup, shutdown, malfunction of any source which occur though ordinary diligence is employed shall be allowed provided that (I) the best operational practices to minimize emissions are adhered to, and (II) all associated air pollution control equipment is operated in a manner consistent with good air pollution control practice for minimizing emissions and (III) the duration of excess emissions is minimized.

(ii) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction are prohibited and are violations of this Chapter (391-3-1).

(iii) The provisions of this paragraph 7. shall apply only to those sources which are not subject to any requirement under section (8) of this Rule (i.e. Rule 391-3-1-.02) or any requirement of 40 CFR, Part 60, as amended concerning New Source Performance Standards.

8. Emissions Bubbles.

(i) With respect to the emissions standards and limitations contained in this Chapter 391-3-1, as such requirements are applied to more than one process or piece of equipment at a source or sources, the Director may allow to the extent consistent with the Act and with the Federal Act under such conditions as he deems appropriate, emissions bubbles provided that:

(I) Such emissions bubbles will not interfere with the attainment and maintenance of ambient air quality standards as expeditiously as practical and does not result in any delay in compliance by any source beyond applicable deadline dates; and

(II) Such emissions bubbles are equivalent in pollution reduction, enforceability, and air quality impact to those individual process or equipment emission limits of State or federal requirements applicable at the time of the bubble; and

(III) Such emissions bubbles are consistent and in full compliance with the requirements of 40 CFR 52.21 (PSD), 40 CFR 60 (New Source Performance Standards) and 40 CFR 61 (NESHAPS); and

(IV) All modeling utilized in evaluating the air quality impact of emissions bubbles shall be done in accordance with modeling procedures acceptable to the Division.

(ii) Emissions bubbles involving different pollutants, types, temporary reductions, and increases of hazardous air pollutants are prohibited.

(iii) The affected source or facility which proposes the use of a bubble shall have the burden of demonstrating to the satisfaction of the Director, compliance with the requirements of this paragraph (2)(a)8.

(iv) For the purpose of this paragraph (2)(a)8. emissions bubbles let plants decrease pollution controls at one or more emission points in exchange for compensating increases in control at other emission points.

9. [reserved]

10. At all times, including periods of startup, shutdown, and malfunction, any person owning, leasing or controlling the operation of a stationary source shall maintain and operate such source, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on any information available to the Division which may include, but is not limited to, monitoring results, observations of the opacity or other characteristic of emissions, review of operating and maintenance procedures or records, and inspection or surveillance of the source.

<u>11. Startup and Shutdown Emissions for SIP-Approved Rules</u>

<u>(i) Upon the effective date of EPA's final approval of GA Rules Chapter 391-3-1-.02(2)(a)11. as published in the Federal Register, the provisions of subparagraph 11.(ii) apply in lieu of GA Rule Chapter 391-3-1-.02(2)(a)7.</u>

<u>(ii) The provisions of this subparagraph 11.(ii) shall apply to all sources subject to emission limitations and standards in 391-3-1-.02(2)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (n), (p), (q), (r), (t), (u), (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt), (uu), (vv), (yy), (ccc), (ddd), (eee), (fff), (hhh), (jjj), (kkk), (lll), (mmm), (nnn), (rrr), (vvv), (yyy), (zzz), (aaaa). The provisions of this subparagraph 11.(ii) shall also apply to emission limitations established in accordance with the new source review requirements in 391-3-1-.02(7)(b) and/or 391-3-1-.03(8) unless startup and shutdown emissions have already been specifically addressed via a federally enforceable permit.</u>

<u>(I) Compliance Options</u>

<u>I. Compliance with the emission limitations and standards identified in paragraph 391-3-1-.02(2)(a)11.(ii) shall be achieved by either Option A or B below:</u>

<u>A. Complying with the applicable emission limitations and standards at all times, including startup and shutdown; or</u>

B. Complying with the applicable emission limitations and standards for emissions resulting from normal operations, and complying with applicable alternative work practice standards in subparagraphs (I)III., and either (I)IV., (I)V., or (I)VI. to address emissions resulting from startup and/or shutdown.

II. Excessive emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup or shutdown are prohibited and are violations of this Chapter (391-3-1).

III. The owner or operator of a source that chooses to comply with alternative work practice standards for startup and shutdown shall maintain the following documentation for five years in a form suitable for inspection and submission to the Division. Required monitoring data (during all periods of operation) and the following documentation shall be maintained:

A. Contemporaneous operating logs or other relevant evidence that document:

(A) The date, time and duration of each period of startup or shutdown where an alternative work practice standard was the method of compliance;

(B) Any actions taken during each period of startup and shutdown, including which option ((ii)(I)IV., (ii)(I)V., or (ii)(I)VI.) is followed; and

(C) Manufacturer's specifications and instructions, fire prevention protocols, and safety protocols relied upon to demonstrate compliance with any alternative work practice standard and records documenting implementation of such.

IV. General Alternative Work Practice Standards Option. Process equipment and air pollution control devices used for compliance with applicable rules in paragraph 391-3-1-.02(2)11.(ii), shall be operated in a manner consistent with good air pollution control practice for minimizing emissions as follows:

A. General Work Practice Standard Part 1
Applicable air pollution control devices shall be started as expeditiously as possible, providing for process and control device limitations and providing for safety constraints for protection of personnel and equipment and fire prevention and safety protocols such as provided by Black Liquor Recovery Boiler Advisory Committee (BLRBAC) or National Fire Protection Association (NFPA) codes. Documentation of such implementation of manufacturing specifications, fire protocols, and safety protocols shall be maintained, and;

B. General Work Practice Standard Part 2
During startup and shutdown periods, the owner or operator of a source shall comply with alternative work practice standards (A) through (M) below, as applicable, for fuel burning sources and pollution control devices installed by the owner or operator to meet an emission limitation referenced in paragraph 391-3-1-.02(2)(a) 11.(ii), as applicable:

(A) Baghouses shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by the fire prevention or safety protocols, unless the inlet gas temperature is below the dewpoint, outside the manufacturer's

recommended operating temperature range, or if the pressure differential across the baghouse exceeds the manufacturer's recommended maximum pressure differential.

(B) Biofilters shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols.

(C) Carbon Adsorption Beds shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols.

(D) Condensers shall be operated, except as specified by the manufacturer or as required by fire prevention or safety protocols.

(E) Cyclones shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by fire prevention or safety protocols.

(F) Electrostatic precipitators (ESP) shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by fire prevention or safety protocols.

(G) Exhaust streams routed from one process to another process for thermal incineration, the control process shall be operated except as specified by the manufacturer or as required by fire prevention or safety protocols.

(H) Fuel burning sources shall burn, during startup and shutdown periods, a "clean fuel" as listed in item 5b. of Table 3 to 40 CFR Part 63 Subpart DDDDD, or the cleanest fuel the unit is permitted to burn, as practicable. Particulate matter, sulfur dioxide, and acid gas control equipment need not operate while associated fuel burning equipment is firing natural gas, propane, distillate oil, or combinations thereof exclusively during startup or shutdown.

(I) Selective catalytic reduction (SCR) shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols, if the catalyst inlet temperature is greater than 600°F, or as specified by manufacturer.

(J) Selective non-catalytic reduction (SNCR) shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols, when the reaction zone temperature is above 1600°F, or as specified by manufacturer.

(K) Scrubbers shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by the fire prevention or safety protocols.

(L) Sorbent injection systems (e.g. carbon, zeolite, lime, trona etc.), shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by the fire prevention or safety protocols, when the exhaust gas stream temperature at the point of injection is greater than 300°F and exhaust gas velocity at the injection point exceeds 25 feet per second based on measurement or operating parameters.

(M) Thermal oxidizer devices (including, but not limited to, catalytic, regenerative, and recuperative systems) shall be operated, except as required by the manufacturer or in documented fire prevention or safety protocols.

V. Similar Process Equipment Alternative Work Practice Standards Option. In lieu of following the General Alternative Work Practice Standards Option in paragraph (ii)(I)IV. above, the owner or operator of a source may follow the startup and shutdown work practice standards in Federal rules included in 40 CFR Part 60 or 40 CFR Part 63 that address compliance during startup and shutdown operations for subject equipment or equipment that would be subject to the Federal rule except for rule applicability exemptions (e.g. construction date), provided that the rule contains specific work practice standards for startup and shutdown periods. These rules are adopted by Georgia as 391-3-1-.02(8) and (9). For example, coal-fired utilities may use 40 CFR 63 Subpart UUUUU (MATS rule) startup and shutdown work practice standard to comply with Georgia Rules 391-3-1-.02(2)(b) and (d).

VI. In lieu of following the startup and shutdown alternative work practices in subparagraphs (ii)(I)IV. or (ii)(I)V. above, the owner or operator of a source may comply with a source specific alternative work practice standard for startup and shutdown periods that has been incorporated into a federally enforceable operating permit. Any application to incorporate such work practice standards shall include, at a minimum, the following considerations:

A. The request is specific to the source and control device, if applicable;

B. Demonstration that compliance with the emissions limitation during startup or shutdown is infeasible, impracticable or unsafe;

C. The proposed alternative work practice standard is designed to minimize emissions during startup or shutdown periods, to the extent practicable;

D. The proposed alternative work practice standard should require that the source is operated in a manner consistent with good practice for minimizing emissions through planning, design, and operating procedures; and

E. The proposed alternative work practice standard includes provisions for monitoring and/or recordkeeping of the operator's actions during startup and shutdown to ensure practical enforceability of the proposed work practices.

F. Such requests shall be made through the application for a permit, permit modification, or permit renewal pursuant to the permit application requirements in 391-3-1-.03. The public notice requirements specified in 391-3-1-.03(2)(i) shall be followed for all proposed alternative work practice standards in non-Title V permits. Public notice requirements specified in 391-3-1-.03(10)(e)8. and 391-3-1-.03(10)(f)1. shall be followed for all proposed alternative work practice standards in Title V permits.

(iii) Paragraph 391-3-1-.02(2)(a)11.(ii) becomes void if the June 12, 2015 publication (80 FR 33839) *State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction* is:

(I) Declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit, the District of Columbia Circuit, or the United States Supreme Court; or

(II) Withdrawn, repealed, revoked, or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

12. Malfunction Emissions

(i) Upon the effective date of EPA's final approval of GA Rule Chapter 391-3-1-.02(2)(a)12.(i) and (ii) as published in the Federal Register, the provisions of this paragraph 12. shall apply in lieu of paragraph 7. to all sources subject to emission limitations and standards in 391-3-1-.02(2)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (n), (p), (q), (r), (t), (u), (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt), (uu), (vv), (yy), (ccc), (ddd), (eee), (fff), (hhh), (jjj), (kkk), (lll), (mmm), (nnn), (rrr), (vvv), (yyy), (zzz), (aaaa). This paragraph 12. also applies to emission limitations established in accordance with the new source review requirements in 391-3-1-.02(7)(b) and/or 391-3-1-.03(8) unless malfunction emissions have already been specifically addressed via a federally enforceable permit.

(ii) Compliance Options

(I) Compliance with the emission limitations and standards identified in paragraph 391-3-1-.02(2)(a)12.(i) shall be achieved by either:

I. Complying with the applicable emission limitations and standards at all times, including periods of malfunction or

II. Complying with the applicable emission limitations and standards for emissions resulting from normal operation, and complying with a source specific malfunction work practice standard approved into a federally enforceable air quality operating permit to address emissions resulting from malfunction.

(II) Excessive emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during malfunction are prohibited and are violations of this Chapter (391-3-1).

(III) The owner or operator of a source that chooses to comply with a source specific malfunction work practice standard approved into a federally enforceable operating permit shall maintain the following documentation for five years in a form suitable for inspection and submission to the Division. Required monitoring data (during all periods of operation) and the following documentation shall be maintained:

I. Contemporaneous operating logs or other relevant evidence that document:

A. The date, time and duration of each period of malfunction where an approved source specific malfunction work practice standard was the method of compliance;

B. Any actions taken during each period of malfunction; and

C. Manufacturer's specifications and instructions, fire prevention protocols, and safety protocols relied upon to demonstrate compliance with any source specific malfunction work practice standard and records documenting implementation of the manufacturer specifications and fire prevention safety protocols.

(IV) The owner or operator of a source may comply with a source specific malfunction work practice standard for malfunction periods that has been incorporated into a federally enforceable operating permit. The request shall also include, as a minimum the following considerations:

I. The work practice standard shall minimize emissions during the malfunction event and be designed to minimize the malfunction duration.

II. Such requests shall be made through the application for a permit, permit modification, or permit renewal pursuant to the permit application requirements in 391-3-1-.03. The public notice requirements specified in 391-3-1-.03(2)(i) shall be followed for all proposed alternative work practice standards in non-Title V permits. Public notice requirements specified in 391-3-1-.03(10)(e)8. and 391-3-1-.03(10)(f)1. shall be followed for all proposed alternative work practice standards in Title V permits.

III. At all times, the source shall be operated in a manner consistent with good practice for minimizing emissions and the source uses best efforts regarding planning, design, and operating procedures. The owner or operator's actions during malfunction periods are documented by properly signed, contemporaneous operating logs or other relevant evidence.

IV. Failure to implement or follow the source specific malfunction work practice standard during a malfunction shall be a violation of the Georgia Rules for Air Quality Control 391-3-1-.03(2)(g).

V. Any source that has a permit without a malfunction work practice standard limit will be required to comply with the applicable emission limit.

VI. Facilities that follow an approved source specific malfunction work practice standard during a malfunction that has been addressed in the source specific malfunction work practice standard shall be deemed in compliance.

Any application requesting a source specific malfunction work practice standard shall also include the following considerations:

A. The request is specific to the source and control device, if applicable;

B. Demonstration that compliance with the emissions limitation during malfunction is infeasible, impracticable or unsafe;

C. The proposed alternative work practice standard(s) is designed to minimize emissions during malfunction periods, to the extent practicable;

D. The proposed alternative work practice standard should require that the source is operated in a manner consistent with good practice for minimizing emissions through planning, design, and operating procedures; and

E. The proposed alternative work practice standard includes provisions for monitoring and/or recordkeeping of the operator's actions during malfunctions to ensure practical enforceability of the proposed work practices.

(V) Malfunctions that are not specifically included in an approved source specific work practice, or are the result of poor maintenance, poor operation, or otherwise reasonably preventable

control equipment or process failure, are prohibited and shall be considered violations and reported in accordance with 391-3-1-.02(6)(b)1.(iv), if the malfunction continues for 4 hours or more.

(VI) Unless otherwise defined in 391-3-1-.02 or in an air quality operating permit, malfunction is defined as follows:

"Malfunction" means any unavoidable failure of air pollution control equipment, process equipment, or process to operate in a normal and usual manner that results in excessive emissions. Excessive emissions during periods of routine startup and shutdown of process equipment are not considered a malfunction. Failures caused entirely or in part by poor maintenance, careless operations or any other upset condition, within the control of the emission source, are not considered malfunctions.

(iii) Paragraphs 391-3-1-.02(2)(a)12.(i) and (ii) become void if the June 12, 2015 publication (80 FR 33839) *State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction* is:

(I) Declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit, the District of Columbia Circuit, or the United States Supreme Court; or

(II) Withdrawn, repealed, revoked, or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

13. Startup, Shutdown, and Malfunction Emissions for Certain Rules

(i) Upon the effective date of EPA's final approval of GA Rule Chapter 391-3-1-.02(2)(a)11. and/or 12. as published in the Federal Register, the provisions of this paragraph 13. shall apply in lieu of paragraph 7. to all sources subject to emission limitations and standards in 391-3-1-.02(2)(zz), (ggg), (iii), (ppp), (qqq), (sss), (uuu), and (www).

(I) Excessive emissions resulting from startup, shutdown, malfunction of any source which occur though ordinary diligence is employed shall be allowed provided that (I) the best operational practices to minimize emissions are adhered to, and (II) all associated air pollution control equipment is operated in a manner consistent with good air pollution control practice for minimizing emissions and (III) the duration of excessive emissions is minimized.

(II) Excessive emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction are prohibited and are violations of this Chapter (391-3-1).

(III) The provisions of this subparagraph 13.(i) shall not apply to emissions in excess of any requirement under section 391-3-1-.02(8) or (9) of this Rule (i.e. any requirement of 40 CFR Part 60, 40 CFR Part 61, or 40 CFR Part 63).

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