

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

Rule 391-3-1-.01, subparagraph (nnnn), relating to “Definitions,” is being amended.

Purpose: The definition of the **Procedures For Testing And Monitoring Sources of Air Pollutants** (PTM) is being amended to reference the most recent revision of the PTM. Procedures are being amended to correct typographical errors, add clarification language, revise monitoring for ozone standards, and add reference methods consistent with the EPA.

Main Features: The reference date for the **Procedures for Testing and Monitoring Sources of Air Pollutants** is being updated to the most recent revision, January 1, 2008. The Table of Contents is being amended to include new reference test methods. Section 1.6 is being amended to incorporate by reference ASTM D 6784-02, consistent with the US EPA. Section 2.119 is amended by allowing a subset of units to be exempt from continuous monitoring requirements, consistent with the federal regulations for similar sources and to require the monitoring be performed at representative load conditions. Section 2.120 is amended by requiring and specifying the procedures for annual tune-ups for all applicable sources. Methods 30A and 30B in Appendix A are being added, consistent with the EPA reference test methods for the Clean Air Mercury Rule (CAMR). Method 204 is amended to correct a typographical error. Performance Specification 12A is being amended in Appendix B to allow the use of Method 30A and 30B, consistent with US EPA requirements and to make technical corrections to refer to the state rule, rather than federal authority as necessary.

Rule 391-3-1-.02(1)(a) “General Provisions” is being amended by deleting language from subparagraph 6. “VOC Emission Standards, Exemptions, Area Designations, Compliance Schedules and Compliance Determinations”.

Purpose: The purpose is to provide clarification of applicability and consistency between the general provisions and the affected rules and to remove compliance schedules that are no longer relevant.

Main Features: Rules with their own specific applicability language have been removed from the General Provisions, and compliance schedules that are no longer applicable have been removed.

Rule 391-3-1-.02(2)(pp), “Bulk Gasoline Plants” is being amended to expand the applicability of the provision and for clarification.

Purpose: To (1) consolidate certain portions of the rule for clarity and ease of understanding; and (2) expand the requirements of this subparagraph to seven counties that are included in the Atlanta metro 8-hour ozone moderate non-attainment area. Note that the Clean Air Act (CAA) requires that all areas designated as a moderate non-attainment area for ozone implement RACT.

Main Features: Additional language has been added to subparagraphs 1.(i), (ii), and (iii) and a definition has been added to subparagraph 5. clarify that the provisions apply to stationary storage tanks. This rule already applies in 13 of the 20 counties required under the CAA. The counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton are added to the county list specified in subparagraph 6.(ii) with a compliance date of June 1, 2008.

Rule 391-3-1-.02(2)(rr), “Gasoline Dispensing Facility – Stage I” is amended to require implementation of enhanced Stage I vapor recovery systems, expand the requirement to new counties, and to update testing and certification requirements.

Purpose : The purpose of this amendment is to (1) establish the requirement that applicable gasoline dispensing facilities implement enhanced Stage I vapor recovery systems rather than Stage I vapor recovery systems, (2) expand the requirement to additional counties within the Atlanta ozone nonattainment area, and (3) and do update testing and certification requirements to account for the use of enhanced Stage I vapor recovery systems.

Main Features: This rule already applies in 13 of the 20 counties required under the CAA. The counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton are added to this rule with staggered compliance dates ranging from June 1, 2008, to May 1, 2009, depending on the facility gasoline throughput. This amendment establishes various compliance dates for the upgrade of existing Stage I vapor control systems to enhanced Stage I at gasoline dispensing facilities. In Cherokee, Clayton, Cobb, Coweta, DeKalb, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties the compliance date is May 1, 2012. Staggered compliance dates are established for the upgrade of existing Stage I vapor control systems to enhanced Stage I at gasoline dispensing facilities located in Barrow, Bartow, Carroll, Hall, Spalding, Newton and Walker counties ranging from June 1, 2008, to May 1, 2009, depending on the facility gasoline throughput. In Catoosa, Richmond, and Walker counties, the compliance date is May 1, 2023. A newly constructed or reconstructed gasoline dispensing facility located in any of these counties would need to be in compliance with the enhanced Stage I upon startup of gasoline dispensing operations.

The provisions are amended allow vents that have manifolds above ground to be less than 12 feet above grade, to limit the number of gasoline storage tanks being filled at the same time to two per vapor return line, and to address malfunctioning drain valves. Definitions, testing, and certification requirements are updated to account for the use of enhanced Stage I vapor recovery systems.

Rule 391-3-1-.02(2)(ss), “Gasoline Transport Vehicles and Vapor Collection Systems” is being amended to add clarification and expand applicability of the rule to additional counties.

Purpose: To (1) consolidate and restructure certain portions of the rule for clarity and ease of understanding and (2) expand the requirements of this subparagraph to seven counties that are included in the Atlanta metro 8-hour ozone moderate non-attainment area. .

Main Features: The Clean Air Act (CAA) requires that all areas designated as a moderate non-attainment area for ozone implement RACT. This rule already applies in 13 of the 20 counties required under the CAA. The counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton are added to the county list specified in subparagraph 6. with a compliance date of June 1, 2008. The term “vapor” is added to the provisions to clarify that the control system in question is a vapor control system. The definition of “gasoline” is added. Other changes are made for correction and clarification.

Rule 391-3-1-.02(2)(tt), “VOC Emissions from Major Sources” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2)(vv), “Volatile Organic Liquid Handling and Storage” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2)(yy), “Emissions of Nitrogen Oxides from Major Sources” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2)(ccc), “VOC Emissions from Bulk Mixing Tanks” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2)(ddd), “VOC Emissions from Offset Lithography” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2)(eee), “VOC Emissions from Expanded Polystyrene Products Manufacturing” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2)(hhh), “Wood Furniture Finishing and Cleaning Operations” is being amended to expand the applicability to one additional county.

Purpose: The purpose is to adopt Federal requirements into the Georgia Rules and to ensure consistency between the State and Federal programs.

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. This rule already applies in 19 of the 20 counties required under the CAA. Barrow County has been added, and a compliance date has been included.

Rule 391-3-1-.02(2) “NOx Emissions from Fuel-Burning Equipment,” subparagraph (III) thereof, is being amended by restructuring the rule and specifying that new or modified fuel-burning equipment burning wood or wood residue in specific amounts outside of the Atlanta metro 8-hour ozone non-attainment area are not subject to the existing NOx emission standard.

Purpose: The purpose is to no longer subject fuel-burning equipment burning wood or wood residue in specific amounts outside of the Atlanta metro 8-hour ozone non-attainment area to the existing NOx emission standard.

Main Features: The phrase “any fuel-burning equipment described below” is replaced with “an affected unit under this subsection”. The term “affected unit” is added to new subparagraph 4. Definitions for “affected unit,” “annual capacity factor,” and “wood” are added. The provisions are renumbered. Affected units with an annual capacity factor for wood in excess of 50 percent in Banks, Butts, Chattooga, Clarke, Dawson, Floyd, Gordon, Haralson, Heard, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pickens, Pike, Polk, Putnam, Troup, and Upson counties are removed from the requirements of this subsection.

Rule 391-3-1-.02(2) “NOx Emissions from Small Fuel-Burning Equipment,” subparagraph (rrr) thereof, is being amended to expand the applicability to additional counties.

Purpose: This paragraph updates new NOx RACT requirements so that owners of small fuel-burning sources in the current 8-hour ozone non-attainment counties may elect to opt out of the more burdensome, case-by-case control technology review requirements of paragraph (yy).

Main Features: The list of counties has been updated to include the current 8-hour ozone non-attainment counties. Barrow, Bartow, Carroll, Hall, Newton, Spalding and Walton Counties have been added, and a compliance date has been included.

Rule 391-3-1-.02, paragraph (12)(b) thereof, relating to "**Clean Air Interstate Rule NOx Annual Trading Program General Provisions**" is being amended.

Purpose: To adopt the recent revisions to 40 CFR 96.102 [Clean Air Interstate Rule NOx Annual Trading Program General Provisions: Definitions] into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Main Features: New definitions for the Clean Air Interstate Rule annual NOx Program contained within 40 CFR Part 96 Subpart AA are being adopted.

Rule 391-3-1-.02, paragraph (13)(b) thereof, relating to "**Clean Air Interstate Rule SO₂ Annual Trading Program General Provisions**" is being amended.

Purpose: To adopt the recent revisions to 40 CFR 96.202 [Clean Air Interstate Rule SO₂ Annual Trading Program General Provisions: Definitions] into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Main Features: New definitions for the Clean Air Interstate Rule annual SO₂ Program contained within 40 CFR Part 96 Subpart AAA are being adopted.

Rule 391-3-1-.02, paragraph (14)(c) thereof, relating to "**Clean Air Mercury Annual Trading Program General Provisions - Definitions**" is being amended.

Purpose: To adopt the recent revisions to 40 CFR 60.4102 into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Main Features: New definitions for the Clean Air Mercury Annual Trading Program contained within 40 CFR Part 60.4102 are being adopted.