

**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The Rules of the Department of Natural Resources, Chapter 391-3-1, Air Quality Control are hereby amended, added to, repealed in part, revised, as hereinafter explicitly set forth in the attached amendments, additions, partial repeals, and revisions for specific rules, or such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-.01(III), “Volatile organic compound,” is amended to read as follows:

(III) “Volatile organic compound” (also denoted as VOC) means any organic compound which participates in atmospheric photochemical reactions; that is, any organic compound other than those which the Administrator of the U.S. Environmental Protection Agency designates as having negligible photochemical reactivity, including: carbon monoxide; carbon dioxide; carbonic acid; metallic carbides or carbonates; ammonium carbonate; methane; ethane; 1,1,1-trichloroethane (methyl chloroform); methylene chloride; trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTF); cyclic, branched, or linear completely methylated siloxanes; acetone; perchloroethylene (tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee); difluoromethane (HFC-32); ethylfluoride (HFC-161); 1,1,1,3,3,3-hexafluoropropane (HFC-236fa); 1,1,2,2,3-pentafluoropropane (HFC-245ca); 1,1,2,3,3-pentafluoropropane (HFC-245ea); 1,1,1,2,3-pentafluoropropane (HFC-245eb); 1,1,1,3,3-pentafluoropropane (HFC-245fa); 1,1,1,2,3,3-hexafluoropropane (HFC-236ea); 1,1,1,3,3-pentafluorobutane (HFC-365mfc); chlorofluoromethane (HCFC-31); 1-chloro-1-fluoroethane (HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C4F9OCH3); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CF2OCH3); 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C4F9OC2H5); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CF2OC2H5); methyl acetate; 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C3F7OCH3, HFE-7000); 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500); 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea); methyl formate; t-butyl acetate; 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane, propylene carbonate, dimethyl carbonate, trans-1,3,3,3-tetrafluoropropene; HCF₂OCF₂H (HFE-134); HCF₂OCF₂OCF₂H (HFE-236cal2); HCF₂OCF₂CF₂OCF₂H (HFE-338pcc13); HCF₂OCF₂OCF₂CF₂OCF₂H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180)); trans 1-chloro-3,3,3-trifluoroprop-1-ene; 2,3,3,3-tetrafluoropropene; 2-amino-2-methyl-1-propanol (AMP); and perfluorocarbon compounds which fall into these classes:

1. Cyclic, branched, or linear, completely fluorinated alkanes;
2. Cyclic, branched, or linear, completed fluorinated ethers, with no unsaturations;
3. Cyclic, branched, or linear, completely fluorinated tertiary-amines with no unsaturations;
4. Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine; and
5. VOC may be measured by the referenced method, an equivalent method, an alternate method or by procedures specified under 40 CFR Part 60. A referenced method, an equivalent method, or an alternate method, however, may also measure non-reactive organic compounds. In such cases, an owner or operator may exclude the non-reactive organic compound when determining compliance with a standard.
6. The following compound(s) are VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC and shall be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t-butyl acetate.

Rule 391-3-1-.01(nnnn), “Procedures for Testing and Monitoring Sources of Air Pollutants,” is amended to read as follows:

(nnnn) “Procedures for Testing and Monitoring Sources of Air Pollutants” or “PTM” means the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** dated February 7, 2014 January 5, 2015.

Rule 391-3-1-.02(2)(ppp), “Commercial and Industrial Solid Waste Incinerators Constructed On or Before November 30, 1999,” is amended to read as follows:

(ppp) Commercial and Industrial Solid Waste Incinerators Incineration Units Constructed On or Before June 4, 2010 ~~November 30, 1999~~.

1. The provisions of this subsection apply to each commercial and industrial solid waste incinerator (CISWI) unit that commenced construction on or before June 4, 2010 ~~November 30, 1999~~ (hereinafter referred to as “Existing-existing CISWI unit”). For the purposes of this subsection, a “CISWI unit” means any unit that meets the definition of “Commercial and industrial solid waste incineration (CISWI) unit” in 40CFR60 Subpart DDDD. The types of CISWI units include the following: incinerators; air curtain incinerators; small, remote incinerators; waste-burning kilns; and energy recovery units. Physical or operational changes made at an Existing-existing CISWI unit solely to comply with this subsection are not considered construction, reconstruction, or modification and would not subject an Existing-existing CISWI unit to the requirements of Georgia rule 391-3-1-.02(8)(b)75, which is the Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999.

~~2. The Owner or Operator of each Existing CISWI shall submit the initial notification report, on forms provided, to the Division no later than December 1, 2002.~~

32. Each existing CISWI unit shall comply with the standards, requirements, and provisions of 40 CFR Part 60, Subpart DDDD, as amended. The standards, requirements, and provisions of

40 CFR Part 60, Subpart DDDD, comprise the Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units. Subpart DDDD is hereby incorporated in its entirety and adopted by reference. The emissions guidelines include the following categories of requirements: emission limits, operator training and qualification, waste management plan, inspection requirements, performance testing and monitoring requirements, reporting and recordkeeping requirements, a compliance schedule, and a permitting obligation. The Owner or Operator of each Existing CISWI shall comply with all requirements contained in paragraph 6. of this subsection on or before the date one year after federal approval of the State CISWI Plan, but no later than June 30, 2004, with the exception of the following:

~~(i) Air Curtain Incinerators burning only the materials listed in 40 CFR 60.2810(b) shall comply only with the requirements contained in paragraph 6.(viii) of this subsection.~~

3. For any combustion unit that is operated in Georgia and meets the definition of an existing CISWI unit, the owner of the unit shall notify the Division's Air Protection Branch a minimum of 60 days prior to the first day of operation. The notification shall be in writing and shall include, at a minimum, the following information: owner's name, address, and phone number; CISWI unit description, address, and date of construction; detailed list and description of materials intended to be combusted in the unit; intended start-up date; and names of qualified operators. A CISWI unit that is an incinerator other than a small, remote incinerator and for which construction commenced on or before November 30, 1999, is subject to the emissions limitations and requirements of 40CFR62 Subpart III, Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999. Such a unit shall be in compliance with 40CFR62 Subpart III on the first and all subsequent days of operation. All other CISWI units are subject to the emissions limitations and requirements of 40CFR60 Subpart DDDD. Such units shall be in compliance no later than February 7, 2018.

~~4. Each Existing CISWI unit is subject to the permitting requirements of 391-3-1-.03(10) "Title V Operating Permits". Each owner or operator of an Existing CISWI shall submit a Title V application to the Division no later than June 30, 2003:~~

5. Definitions of all terms used, but not defined in this subsection, shall have the meaning given to them in 40 CFR Part 60, Subpart DDDD, as amended. Terms not defined therein shall have the meaning given to them in the federal Clean Air Act or 40 CFR Part 60, Subparts A and B. For the purposes of this subsection the following definitions also apply:

(i) The term "Administrator" as used in regulations adopted in this subsection shall mean the Director of the Georgia Environmental Protection Division.

(ii) The term "Air Curtain Incinerator" as used in regulations adopted in this subsection shall mean an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(iii) The term "EPA" as used in regulations adopted in this subsection shall mean the Georgia Environmental Protection Division.

~~6. For the purposes of implementing the requirements and provisions of the Emission Guidelines of 40 CFR Part 60, Subpart DDDD for Existing CISWIs, each Existing CISWI shall comply with the standards, requirements, and provisions of 40 CFR Part 60, Subpart DDDD, as amended, which is hereby incorporated and adopted by reference, with the exceptions as follows:~~

~~(i) Applicability.~~

~~(I) The provisions of this subsection shall apply to each Existing CISWI meeting the applicability requirements of 40 CFR 60.2550, as stated therein.~~

~~(II) CISWI meeting the exemption provisions of 40 CFR 60.2555 through 60.2558, as stated therein, shall not be subject to this subsection.~~

~~(ii) Waste Management Plan. The waste management plan requirements of 40 CFR 60.2620 through 60.2630 shall apply to each Existing CISWI, as stated therein. The waste management plan shall be submitted on or before the date one year after federal approval of the State CISWI plan, but no later than June 30, 2004.~~

~~(iii) Operator Training and Qualification. The operator training and qualification requirements of 40 CFR 60.2635 through 60.2665 shall apply to each Existing CISWI, as stated therein.~~

~~(iv) Emission Limitations and Operating Limits. The emission limitations and operating limits of 40 CFR 60.2670 through 60.2685 shall apply to each Existing CISWI unit, as stated therein.~~

~~(v) Performance Testing and Compliance Requirements. In lieu of 40 CFR 60.2690 through 60.2725, Section 2.122.2 of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** shall apply to each Existing CISWI.~~

~~(vi) Monitoring Requirements. In lieu of 40 CFR 60.2730 through 60.2735, Section 2.122.3 of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** shall apply to each Existing CISWI.~~

~~(vii) Record keeping and Reporting Requirements. In lieu of 40 CFR 60.2740 through 60.2800, Section 2.122.4 of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** shall apply to each Existing CISWI.~~

~~(viii) Air Curtain Incinerators.~~

~~(I) The Owner or Operator of each Existing Air Curtain Incinerator, burning only the materials listed in 40 CFR 60.2810(b), shall comply with the requirements contained in this subparagraph, on or before the date one year after federal approval of the State CISWI Plan, but no later than June 30, 2004.~~

~~(II) Emission Limitations. The requirements of 40 CFR 60.2860, as stated therein, shall apply to each Existing Air Curtain Incinerator.~~

~~(III) Monitoring and Performance Testing for Air Curtain Incinerators. In lieu of 40 CFR 60.2865, Sections 2.122.2(l) and (m) of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** shall apply to each Existing Air Curtain Incinerator.~~

~~(IV) Record keeping and reporting requirements for Air Curtain Incinerators. In lieu of the requirements of 40 CFR 60.2870, Existing Air Curtain Incinerators are required to maintain records and submit the results of performance tests in accordance with the requirements of Sections 2.122.4(f) through (j) of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants.**~~

Rule 391-3-1-.02(8), “New Source Performance Standards,” is amended to read as follows:

(8) New Source Performance Standards.

(a) General Requirement. No person shall construct or operate any facility or source which fails to comply with the New Source Performance Standards contained in 40 Code of Federal Regulations (hereinafter, CFR), Part 60, as amended, including but not limited to (unless specifically excluded below), the subparts hereby adopted through incorporation by reference in paragraph (b) of this subsection.

(b) New Source Performance Standards.

1. General Provisions. For purposes of applying New Source Performance Standards, 40 CFR, Part 60, Subpart A (excluding 60.4 and 60.9), as amended ~~January 30, 2013~~ April 14, 2014, is hereby incorporated and adopted by reference. The word “Administrator” as used in regulations adopted in this paragraph shall mean the Director of EPD.
2. Standards of Performance for Fossil-fuel Fired Steam Generators: 40 CFR, Part 60, subpart D, as amended February 16, 2012, is hereby incorporated and adopted by reference.
3. Standards of Performance for Electric Utility Steam Generating Units: 40 CFR, Part 60, Subpart Da, as amended ~~April 24, 2013~~ November 19, 2014, is hereby incorporated and adopted by reference.
4. Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units: 40 CFR, Part 60, Subpart Db, as amended February 16, 2012, is hereby incorporated and adopted by reference.
5. Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units: 40 CFR, Part 60, Subpart Dc, as amended February 16, 2012, is hereby incorporated and adopted by reference.
6. Standards of Performance for Incinerators: 40 CFR, Part 60, Subpart E, as amended May 10, 2006, is hereby incorporated and adopted by reference.
7. Standards of Performance for Municipal Waste Combustors: 40 CFR, Part 60, Subpart Ea, as amended October 17, 2000, is hereby incorporated and adopted by reference.
8. Standards of Performance for Portland Cement Plants: 40 CFR, Part 60, Subpart F, as amended February 12, 2013, is hereby incorporated and adopted by reference.
9. Standards of Performance for Nitric Acid Plants: 40 CFR, Part 60, Subpart G, as amended ~~August 14, 2012~~ May 6, 2014, is hereby incorporated and adopted by reference.

10. Standards of Performance for Sulfuric Acid Plants: 40 CFR, Part 60, Subpart H, as amended October 17, 2000, is hereby incorporated and adopted by reference.
11. Standards of Performance for Asphalt Concrete Plants: 40 CFR, Part 60, Subpart I, as amended February 14, 1989, is hereby incorporated and adopted by reference.
12. Standards of Performance for Petroleum Refineries: 40 CFR, Part 60, Subpart J, as amended September 12, 2012, is hereby incorporated and adopted by reference.
13. Standards of Performance for Storage Vessels for Petroleum Liquids: 40 CFR, Part 60, Subpart K, as amended October 17, 2000, is hereby incorporated and adopted by reference.
14. Standards of Performance for Storage Vessels for Petroleum Liquids: 40 CFR, Part 60, Subpart Ka, as amended December 14, 2000, is hereby incorporated and adopted by reference.
15. Standards of Performance for Volatile Organic Liquid Storage Vessels: 40 CFR, Part 60, Subpart Kb, as amended October 15, 2003, is hereby incorporated and adopted by reference.
16. Standards of Performance for Secondary Lead Smelters: 40 CFR, Part 60, Subpart L, as amended October 17, 2000, is hereby incorporated and adopted by reference.
17. Standards of Performance for Secondary Brass and Bronze Ingot Production Plants: 40 CFR, Part 60, Subpart M, as amended October 17, 2000, is hereby incorporated and adopted by reference.
18. Standards of Performance for Iron and Steel Plants: 40 CFR, Part 60, Subpart N, as amended October 17, 2000, is hereby incorporated and adopted by reference.
19. Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983: 40 CFR, Part 60, Subpart Na, as amended October 17, 2000, is hereby incorporated and adopted by reference.
20. Standards of Performance for Sewage Treatment Plants: 40 CFR, Part 60, Subpart O, as amended October 17, 2000, is hereby incorporated and adopted by reference.
21. Standards of Performance for Primary Copper Smelters: 40 CFR, Part 60, Subpart P, as amended October 17, 2000, is hereby incorporated and adopted by reference.
22. Standards of Performance for Primary Zinc Smelters: 40 CFR, Part 60, Subpart Q, as amended February 14, 1989, is hereby incorporated and adopted by reference.
23. Standards of Performance for Primary Lead Smelters: 40 CFR, Part 60, Subpart R, as amended February 14, 1989, is hereby incorporated and adopted by reference.
24. Standards of Performance for Primary Aluminum Reduction Plants: 40 CFR, Part 60, Subpart S, as amended October 17, 2000, is hereby incorporated and adopted by reference.
25. Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants: 40 CFR, Part 60, Subpart T, as amended October 17, 2000, is hereby incorporated and adopted by reference.

26. Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants: 40 CFR, Part 60, Subpart U, as amended October 17, 2000, is hereby incorporated and adopted by reference.
27. Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants: 40 CFR, Part 60, Subpart V, as amended October 17, 2000, is hereby incorporated and adopted by reference.
28. Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants: 40 CFR, Part 60, Subpart W, as amended October 17, 2000, is hereby incorporated and adopted by reference.
29. Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities: 40 CFR, Part 60, Subpart X, as amended October 17, 2000, is hereby incorporated and adopted by reference.
30. Standards of Performance for Coal Preparation Plants: 40 CFR, Part 60, Subpart Y, as amended October 8, 2009, is hereby incorporated and adopted by reference.
31. Standards of Performance for Ferroalloy Production Facilities: 40 CFR, Part 60, Subpart Z, as amended October 17, 2000, is hereby incorporated and adopted by reference.
32. Standards of Performance for Steel Plants: Electric Arc Furnaces: 40 CFR, Part 60, Subpart AA, as amended February 22, 2005, is hereby incorporated and adopted by reference.
33. Standards of Performance for Steel Plants. Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983: 40 CFR 60, Subpart AAa, as amended February 22, 2005, is hereby incorporated and adopted by reference.
34. Standards of Performance for Kraft Pulp Mills: 40 CFR, Part 60, Subpart BB, as amended September 21, 2006, is hereby incorporated and adopted by reference.
35. Standards of Performance for Glass Manufacturing Plants: 40 CFR, Part 60, Subpart CC, as amended October 17, 2000, is hereby incorporated and adopted by reference.
36. Standards of Performance for Grain Elevators: 40 CFR, Part 60, Subpart DD, as amended October 17, 2000, is hereby incorporated and adopted by reference.
37. Standards of Performance for Surface Coating of Metal Furniture: 40 CFR, Part 60, Subpart EE, as amended October 17, 2000, is hereby incorporated and adopted by reference.
38. Standards of Performance for Stationary Gas Turbines: 40 CFR, Part 60, subpart GG, as amended February 24, 2006, is hereby incorporated and adopted by reference.
39. Standards of Performance for Lime Manufacturing Plants: 40 CFR, Part 60, subpart HH, as amended October 17, 2000, is hereby incorporated and adopted by reference.
40. Standards of Performance for Lead-Acid Battery Manufacturing Plants: 40 CFR, Part 60, subpart KK, as amended October 17, 2000, is hereby incorporated and adopted by reference.

41. Standards of Performance for Metallic Mineral Processing Plants: 40 CFR, Part 60, Subpart LL, as amended October 17, 2000, is hereby incorporated and adopted by reference.
42. Standards of Performance for Automobile and Light-Duty Truck Coating Operations: 40 CFR, Part 60, Subpart MM, as amended October 17, 2000, is hereby incorporated and adopted by reference.
43. Standards of Performance for Phosphate Rock Plants: 40 CFR, Part 60, Subpart NN, as amended October 17, 2000, is hereby incorporated and adopted by reference.
44. Standards of Performance for Ammonium Sulfate Manufacture: 40 CFR, Part 60, Subpart PP, as amended October 17, 2000, is hereby incorporated and adopted by reference.
45. Standards of Performance for Graphic Arts Industry: Publication Rotogravure Printing: 40 CFR, Part 60, Subpart QQ, as amended April 9, 2004, is hereby incorporated and adopted by reference.
46. Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations: 40 CFR, Part 60, Subpart RR, as amended October 17, 2000, is hereby incorporated and adopted by reference.
47. Standards of Performance for Industrial Surface Coating: Large Appliances: 40 CFR, Part 60, Subpart SS, as amended October 17, 2000, is hereby incorporated and adopted by reference.
48. Standards of Performance for Metal Coil Surface Coating: 40 CFR, Part 60, Subpart TT, as amended October 17, 2000, is hereby incorporated and adopted by reference.
49. Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture: 40 CFR, Part 60, Subpart UU, as amended October 17, 2000, is hereby incorporated and adopted by reference.
50. Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry: 40 CFR, Part 60, Subpart VV, as amended June 2, 2008, is hereby incorporated and adopted by reference.
51. Standards of Performance for Beverage Can Surface Coating Industry: 40 CFR, Part 60, Subpart WW, as amended October 17, 2000, is hereby incorporated and adopted by reference.
52. Standards of Performance for Bulk Gasoline Terminals: 40 CFR, Part 60, Subpart XX, as amended December 19, 2003, is hereby incorporated and adopted by reference.
53. Standards of Performance for Rubber Tire Manufacturing Industry: 40 CFR, Part 60, Subpart BBB, as amended October 17, 2000, is hereby incorporated and adopted by reference.
54. Standards of Performance for Volatile Organic Compound (VOC) Emission from Polymer Manufacturing Industry: 40 CFR, Part 60, Subpart DDD, as amended December 14, 2000, is hereby incorporated and adopted by reference.

55. Standards of Performance for Flexible Vinyl and Urethane Printing and Coating: 40 CFR 60, Subpart FFF, as amended October 17, 2000, is hereby incorporated and adopted by reference.
56. Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries: 40 CFR, Part 60, Subpart GGG, as amended June 2, 2008, is hereby incorporated and adopted by reference.
57. Standards of Performance for Synthetic Fiber Production Facilities: 40 CFR, Part 60, Subpart HHH, as amended October 17, 2000, is hereby incorporated and adopted by reference.
58. Standards of Performance for Volatile Organic Compounds (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes: 40 CFR, Part 60, Subpart III, as amended December 14, 2000, is hereby incorporated and adopted by reference.
59. Standards of Performance for Petroleum Dry Cleaners: 40 CFR, Part 60, Subpart JJJ, as amended October 17, 2000, is hereby incorporated and adopted by reference.
60. Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants: 40 CFR 60, Subpart KKK, as amended August 16, 2012, is hereby incorporated and adopted by reference.
61. Standards of Performance for Onshore Natural Gas Processing: 40 CFR, Part 60, Subpart LLL, as amended August 16, 2012, is hereby incorporated and adopted by reference.
62. Standards of Performance for Volatile Organic Compounds (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operation: 40 CFR, Part 60, Subpart NNN, as amended December 14, 2000, is hereby incorporated and adopted by reference.
63. Standards of Performance for Nonmetallic Mineral Processing Plants: 40 CFR, Part 60, Subpart OOO, as promulgated April 28, 2009, is hereby incorporated and adopted by reference.
64. Standards of Performance for Wool Fiberglass Insulation Manufacturing Plants: 40 CFR 60, Subpart PPP, as amended October 17, 2000, is hereby incorporated and adopted by reference.
65. Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems: 40 CFR 60, Subpart QQQ, as amended October 17, 2000, is hereby incorporated and adopted by reference.
66. Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Process: 40 CFR 60, Subpart RRR, as amended December 14, 2000, is hereby incorporated and adopted by reference.
67. Standards of Performance for Magnetic Tape Coating: 40 CFR 60, Subpart SSS, as amended February 12, 1999, is hereby incorporated and adopted by reference.
68. Standards of Performance for Plastic Parts for Business Machine Coatings: 40 CFR 60, Subpart TTT, as amended October 17, 2000, is hereby incorporated and adopted by reference.

69. Standards of Performance for Calciners and Dryers in Mineral Industries: 40 CFR 60, Subpart UUU, as amended October 17, 2000, is hereby incorporated and adopted by reference.
70. Standards of Performance for Polymeric Coating of Supporting Substrates Facilities: 40 CFR 60, Subpart VVV, as promulgated September 11, 1989, is hereby incorporated and adopted by reference.
71. Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced after September 20, 1994: 40 CFR, Part 60, Subpart Eb, as amended May 10, 2006, is hereby incorporated and adopted by reference.
72. Standards of Performance for Municipal Solid Waste Landfills: 40 CFR, Part 60, Subpart WWW, as amended September 21, 2006, is hereby incorporated and adopted by reference.
73. Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for which construction is commenced after June 20, 1996: 40 CFR, Part 60, Subpart Ec, as amended September 9, 2013, is hereby incorporated and adopted by reference.
74. Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999: 40 CFR 60, Subpart AAAA, as promulgated December 6, 2000, is hereby incorporated and adopted by reference.
75. Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999: 40 CFR 60, Subpart CCCC, as amended February 7, 2013, is hereby incorporated and adopted by reference.
76. Standards of Performance for Other Solid Waste Incinerator Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006: 40 CFR Part 60 Subpart EEEE, as amended November 24, 2006, is hereby incorporated and adopted by reference.
77. Standards of Performance for Stationary Compression Ignition Internal Combustion Engines: 40 CFR Part 60 Subpart IIII, as promulgated January 30, 2013, is hereby incorporated and adopted by reference.
78. Standards of Performance for Stationary Combustion Turbines: 40 CFR Part 60 Subpart KKKK, as amended March 20, 2009, is hereby incorporated and adopted by reference.
79. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines: 40 CFR Part 60 Subpart JJJJ, as amended January 30, 2013, is hereby incorporated and adopted by reference.
80. Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry For Which Construction, Reconstruction, or Modification Commenced after November 7, 2006: 40 CFR Part 60 Subpart VVa, as amended August 16, 2012, is hereby incorporated and adopted by reference.
81. Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries For Which Construction, Reconstruction, or Modification Commenced after November 7, 2006: 40 CFR

Part 60 Subpart GGGa, as amended June 2, 2008, is hereby incorporated and adopted by reference.

82. Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007: 40 CFR Part 60 Subpart Ja, as amended December 19, 2013, is hereby incorporated and adopted by reference.

83. Standards of Performance for New Sewage Sludge Incineration Units: 40 CFR Part 60 Subpart LLLL, as promulgated March 21, 2011, is hereby incorporated and adopted by reference.

84. Standard of Performance for Oil and Natural Gas Sector: 40 CFR Part 60 Subpart OOOO, as amended September 23, 2013, is hereby incorporated and adopted by reference.

85. Standard of Performance for Kraft Pulp Mills Constructed, Modified or Reconstructed after May 23, 2013: 40 CFR Part 60 Subpart BBa, as promulgated April 4, 2014, is hereby incorporated and adopted by reference.

Rule 391-3-1-.02(9), "Emission Standards for Hazardous Air Pollutants," is amended to read as follows:

(9) Emission Standards for Hazardous Air Pollutants.

(a) General Requirements. The provisions of this section shall apply to any stationary source and to the owner or operator of any stationary source for which a standard is prescribed under 40 Code of Federal Regulations (hereinafter CFR), Parts 61 and 63, including, but not limited to (unless specifically excluded below) the subparts hereby adopted through incorporation by reference in subsection (b) of this section. For purposes of applying emission standards for hazardous air pollutants, 40 CFR, Parts 61 and 63 (excluding 61.04 and 61.16), as amended, are hereby incorporated by reference. The word "Administrator" as used in regulations adopted in this section shall mean the Director of EPD.

(b) Emission Standards for Hazardous Air Pollutants.

1. Emission Standard for Beryllium: 40 CFR, Part 61, Subpart C, as amended October 17, 2000, is hereby incorporated and adopted by reference.
2. Emission Standard for Beryllium Rocket Motor Firing: 40 CFR, Part 61, Subpart D, as amended October 17, 2000, is hereby incorporated and adopted by reference.
3. Emission Standard for Mercury: 40 CFR, Part 61, Subpart E, as amended October 17, 2000, is hereby incorporated and adopted by reference.
4. Emission Standard for Vinyl Chloride: 40 CFR, Part 61, Subpart F, as amended October 17, 2000, is hereby incorporated and adopted by reference.
5. Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene: 40 CFR, Part 61, Subpart J, as amended December 14, 2000, is hereby incorporated and adopted by reference.

6. Emission Standard for Benzene Emissions from Coke Byproduct Recovery Plants: 40 CFR, Part 61, Subpart L, as amended October 17, 2000, is hereby incorporated and adopted by reference.
7. Emission Standard for Asbestos (including work practices): 40 CFR, Part 61, Subpart M, as amended July 20, 2004, is hereby incorporated and adopted by reference.
8. Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants: 40 CFR, Part 61, Subpart N, as amended October 17, 2000, is hereby incorporated and adopted by reference.
9. Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters: 40 CFR, Part 61, Subpart O, as amended October 17, 2000, is hereby incorporated and adopted by reference.
10. Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities: 40 CFR, Part 61, Subpart P, as amended October 3, 1986, is hereby incorporated and adopted by reference.
11. Emission Standard for Equipment Leaks (Fugitive Emission Sources) [of VHAP]: 40 CFR, Part 61, Subpart V, as amended December 14, 2000, is hereby incorporated and adopted by reference.
12. Emission Standard for Benzene Emissions from Benzene Storage Vessels: 40 CFR, Part 61, Subpart Y, as amended December 14, 2000, is hereby incorporated and adopted by reference.
13. Emission Standard for Benzene Emissions from Benzene Transfer Operations: 40 CFR, Part 61, Subpart BB, as amended December 14, 2000, is hereby incorporated and adopted by reference.
14. Emission Standard for Benzene Waste Operations: 40 CFR, Part 61, Subpart FF, as amended December 4, 2003, is hereby incorporated and adopted by reference.
15. General Provisions. For purposes of applying Emission Standards for Hazardous Air Pollutants, 40 CFR, Part 63, Subpart A, as amended ~~February 1, 2013~~ March 27, 2014, [excluding 63.13, and 63.15(a)(2)] is hereby incorporated and adopted by reference subject to the following provisions:
 - (i) The definition of "Potential to Emit" in 40 CFR, Part 63.2, shall be modified as follows:
 - (l) The phrase "is federally enforceable" shall read "is federally enforceable or enforceable as a practical matter."
16. Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Paragraph 112(g): 40 CFR, Parts 63.40 through 63.44, as amended June 30, 1999, is hereby incorporated and adopted by reference, subject to the following provisions:
 - (i) Terms used in this paragraph shall have the meaning given to them in the Clean Air Act, 40 CFR 63 Subparts A and B, and the Georgia Air Quality Act.

(ii) The “Effective Date of Paragraph 112(g)(2)(B),” as defined in 40 CFR 63.41, shall be June 29, 1998.

(iii) The “Notice of MACT Approval,” as defined in 40 CFR 63.41, shall be the air construction permit issued by the Division.

(iv) The “Permitting Authority,” as defined in 40 CFR 63.41, shall be the Division.

(v) In lieu of the administrative procedures for review of the Notice of MACT Approval, as set forth in 40 CFR 63.43(f)(1) through (5), the Division will act in accordance with the permitting requirements as set forth in Chapter 391-3-1-.03 Permits, as amended, and administrative procedures for preconstruction review and approval established by the Division.

(vi) In lieu of the opportunity for public comment on the Notice of MACT Approval, as set forth in 40 CFR 63.43(h), the Division will provide opportunity for public comment on the Notice of MACT Approval pursuant to Chapter 391-3-1-.03(2)(i).

(vii) The Notice of MACT Approval shall become effective upon issuance of the air construction permit by the Division.

17. Requirements for Control Technology Determinations for Major Sources in Accordance with the Clean Air Act sections 112(j): 40 CFR 63, Subpart B, Sections 63.50 through 63.56, as amended July 11, 2005, is hereby incorporated and adopted by reference.

18. [reserved]

19. Compliance Extensions for Early Reductions: 40 CFR, Part 63, Subpart D, as amended November 21, 1994, is hereby incorporated and adopted by reference.

20. Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry, 40 CFR 63, Subpart F, as amended December 21, 2006, is hereby incorporated and adopted by reference.

21. Emission Standards for Organic Hazardous Air Pollutants from Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater, 40 CFR 63, Subpart G, as amended December 22, 2008, is hereby incorporated and adopted by reference. Only procedures listed in 63.112(e) of be used to comply with the emission standard in 63.112(a) unless otherwise specifically approved by the Director.

22. Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks, 40 CFR 63, Subpart H, as amended December 22, 2008, is hereby incorporated and adopted by reference.

23. Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks, 40 CFR 63, Subpart I, as amended June 23, 2003, is hereby incorporated and adopted by reference.

24. Emission Standards for Polyvinyl Chloride and Copolymers Production, 40 CFR Part 63, Subpart J, as amended July 10, 2002, is hereby incorporated and adopted by reference.

25. [reserved]

26. Emission Standards for Coke Oven Batteries, 40 CFR 63, Subpart L, as amended April 20, 2005, is hereby incorporated and adopted by reference.
27. Perchloroethylene Air Emission Standards for Dry Cleaning Facilities, 40 CFR 63, Subpart M, as amended July 11, 2008, is hereby incorporated and adopted by reference.
28. Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, 40 CFR 63, Subpart N, as amended September 19, 2012, is hereby incorporated and adopted by reference.
29. Ethylene Oxide Emissions Standards for Sterilization Facilities, 40 CFR 63, Subpart O, as amended December 19, 2005, is hereby incorporated and adopted by reference.
30. [reserved]
31. Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers, 40 CFR 63, Subpart Q, as amended April 7, 2006, is hereby incorporated and adopted by reference.
32. Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations), 40 CFR 63, Subpart R, as amended December 22, 2008, is hereby incorporated and adopted by reference.
33. Emission Standards for Pulp & Paper Industries, 40 CFR 63, Subpart S, as amended September 11, 2012, is hereby incorporated and adopted by reference.
34. Emission Standards for Halogenated Solvent Cleaning, 40 CFR 63, Subpart T, as amended May 3, 2007, is hereby incorporated and adopted by reference.
35. Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins, 40 CFR 63, Subpart U, as amended April 21, 2011, is hereby incorporated and adopted by reference.
36. [reserved]
37. Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production, 40 CFR 63, Subpart W, as amended April 20, 2006, is hereby incorporated and adopted by reference.
38. Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting, 40 CFR 63, Subpart X, as amended January 3, 2014, is hereby incorporated and adopted by reference.
39. Emission Standards for Marine Tank Vessel Loading Operations, 40 CFR 63, Subpart Y, as amended April 21, 2011, is hereby incorporated and adopted by reference.
40. [reserved]
41. Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants, 40 CFR 63, Subpart AA, as amended April 20, 2006, is hereby incorporated and adopted by reference.

42. Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants, 40 CFR 63, Subpart BB, as amended April 20, 2006, is hereby incorporated and adopted by reference.
43. Emission Standards for Hazardous Air Pollutants from Petroleum Refineries, 40 CFR 63, Subpart CC, as amended June 20, 2013, is hereby incorporated and adopted by reference. Only procedures listed in 63.642(k) of 40 CFR 63, Subpart CC shall be used to comply with the emission standard in 63.642(g).
44. Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations, 40 CFR 63, Subpart DD, as amended April 20, 2006, is hereby incorporated and adopted by reference.
45. Emission Standards for Magnetic Tape Manufacturing Operations, 40 CFR 63, Subpart EE, as amended June 23, 2003, is hereby incorporated and adopted by reference.
46. [reserved]
47. Emission Standards for Aerospace Manufacturing and Rework Facilities, 40 CFR 63, Subpart GG, as amended April 20, 2006, is hereby incorporated and adopted by reference.
48. Emission Standards for Hazardous Air Pollutants for Source Categories: Oil & Natural Gas Production Facilities, 40 CFR 63, Subpart HH, as amended August 16, 2012, is hereby incorporated and adopted by reference.
49. Emission Standards for Shipbuilding and Ship Repair (Surface Coating), 40 CFR 63, Subpart II, as amended November 21, 2011, is hereby incorporated and adopted by reference.
50. Emission Standards for Wood Furniture Manufacturing Operations, 40 CFR 63, Subpart JJ, as amended November 21, 2011, is hereby incorporated and adopted by reference.
51. Emission Standards for the Printing and Publishing Industry, 40 CFR 63, Subpart KK, as amended April 21, 2011, is hereby incorporated and adopted by reference.
52. Emission Standards for Hazardous Air Pollutants for Source Categories: Primary Aluminum Reduction Plants, 40 CFR 63, Subpart LL, as amended April 20, 2006, is hereby incorporated and adopted by reference.
53. Emission Standards for Hazardous Air Pollutants for Source Categories: Combustion Sources at Kraft, Soda, and Sulfite Pulp and Paper Mills, 40 CFR 63, Subpart MM, as amended April 20, 2006, is hereby incorporated and adopted by reference.
54. [reserved]
55. Emission Standards for Tanks-Level 1, 40 CFR 63, Subpart OO, as amended June 23, 2003, is hereby incorporated and adopted by reference.
56. Emission Standards for Containers, 40 CFR 63, Subpart PP, as amended June 23, 2003, is hereby incorporated and adopted by reference.

57. Emission Standards for Surface Impoundments, 40 CFR 63, Subpart QQ, as amended June 23, 2003, is hereby incorporated and adopted by reference.
58. Emission Standards for Individual Drain Systems, 40 CFR 63, Subpart RR, as amended June 23, 2003, is hereby incorporated and adopted by reference.
59. Emission Standards for Hazardous Air Pollutants from: Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process, 40 CFR 63, Subpart SS, as amended April 20, 2006, is hereby incorporated and adopted by reference.
60. Emission Standards for Hazardous Air Pollutants from Equipment Leaks--Control Level 1, 40 CFR 63, Subpart TT, as amended July 12, 2002, is hereby incorporated and adopted by reference.
61. Emission Standards for Hazardous Air Pollutants from Equipment Leaks--Control Level 2 Standards, 40 CFR 63, Subpart UU, as amended July 12, 2002, is hereby incorporated and adopted by reference.
62. Emission Standards for Oil-Water Separators and Organic-Water Separators, 40 CFR 63, Subpart VV, as amended June 23, 2003, is hereby incorporated and adopted by reference.
63. Emission Standards for Hazardous Air Pollutants from Storage Vessels (Tanks)--Control Level 2, 40 CFR 63, Subpart WW, as amended July 12, 2002, is hereby incorporated and adopted by reference.
64. Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations, 40 CFR Part 63, Subpart XX, as amended April 13, 2005, is hereby incorporated and adopted by reference.
65. Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards, 40 CFR 63, Subpart YY, as amended ~~April 20, 2006~~October 8, 2014, is hereby incorporated and adopted by reference.
66. [reserved]
67. [reserved]
68. [reserved]
69. Emission standards for Hazardous Air Pollutants for Source Categories: Steel Pickling -- HCl Process Facilities and Hydrochloric Acid Regeneration Plants, 40 CFR 63, Subpart CCC, as amended September 19, 2012, is hereby incorporated and adopted by reference.
70. Emission Standards for Hazardous Air Pollutants for Source Categories: Mineral Wool Production, 40 CFR 63, Subpart DDD, as amended June 23, 2003, is hereby incorporated and adopted by reference.
71. Emission Standards for Hazardous Air Pollutants for Source Categories: Hazardous Waste Combustors, 40 CFR 63, Subpart EEE, as amended October 28, 2008, is hereby incorporated and adopted by reference.

72. [reserved]

73. Emission Standards for Hazardous Air Pollutants for Source Categories: Pharmaceuticals Production, 40 CFR 63, Subpart GGG, as amended April 21, 2011, is hereby incorporated and adopted by reference.

74. Emission Standards for Hazardous Air Pollutants for Source Categories: Natural Gas Transmission and Storage Facilities, 40 CFR 63, Subpart HHH, as amended August 16, 2012, is hereby incorporated and adopted by reference.

75. Emission Standards for Hazardous Air Pollutants for Source Categories: Flexible Polyurethane Foam Production, 40 CFR 63, Subpart III, as amended ~~June 23, 2003~~ August 15, 2014, is hereby incorporated and adopted by reference.

76. Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins, 40 CFR 63, Subpart JJJ, as amended ~~December 22, 2008~~ March 27, 2014, is hereby incorporated and adopted by reference.

77. [reserved]

78. Emission Standards for Hazardous Air Pollutants for Source Categories: Portland Cement Manufacturing Industry, 40 CFR 63, Subpart LLL, as amended February 12, 2013, is hereby incorporated and adopted by reference.

79. Emission Standards for Hazardous Air Pollutants for Source Categories: Pesticide Active Ingredient Production, 40 CFR 63, Subpart MMM, as amended ~~April 20, 2006~~ March 27, 2014, is hereby incorporated and adopted by reference.

80. Emission Standards for Hazardous Air Pollutants for Source Categories: Wool Fiberglass Manufacturing, 40 CFR 63, Subpart NNN, as amended April 20, 2006, is hereby incorporated and adopted by reference.

81. Emission Standards for Hazardous Air Pollutants for Source Categories: Amino/Phenolic Resins Production, 40 CFR 63, Subpart OOO, as amended ~~April 20, 2006~~ October 8, 2014, is hereby incorporated and adopted by reference.

82. Emission Standards for Hazardous Air Pollutants for Source Categories: Polyether Polyols Production, 40 CFR 63, Subpart PPP, as amended ~~April 20, 2006~~ March 27, 2014, is hereby incorporated and adopted by reference.

83. Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting, 40 CFR Part 63, Subpart QQQ, as amended April 20, 2006, is hereby incorporated and adopted by reference.

84. Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production, 40 CFR, 63, Subpart RRR, as amended April 20, 2006, is hereby incorporated and adopted by reference.

85. [reserved]

86. Emission Standards for Hazardous Air Pollutants for Source Categories: Primary Lead Smelting, 40 CFR 63, Subpart TTT, as amended November 15, 2011, is hereby incorporated and adopted by reference.
87. Emission Standards for Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, and Sulfur Plant Units, 40 CFR Part 63, Subpart UUU, as amended April 20, 2006, is hereby incorporated and adopted by reference.
88. Emission Standards for Hazardous Air Pollutants for Source Categories: Publicly Owned Treatment Works, 40 CFR 63, Subpart VVV, as amended December 22, 2008, is hereby incorporated and adopted by reference.
89. [reserved]
90. Emission Standards for Hazardous Air Pollutants for Source Categories: Ferroalloys Production: Ferromanganese and Silicomanganese, 40 CFR 63, Subpart XXX, as amended April 20, 2006, is hereby incorporated and adopted by reference.
91. [reserved]
92. [reserved]
93. Emission Standards for Hazardous Air Pollutants for Source Categories: Municipal Solid Waste Landfills, 40 CFR Part 63, Subpart AAAA, as amended April 20, 2006, is hereby incorporated and adopted by reference.
94. [reserved]
95. Emission Standards for Hazardous Air Pollutants for Source Categories: Nutritional Yeast Manufacturing, 40 CFR Part 63, Subpart CCCC, as amended April 20, 2006, is hereby incorporated and adopted by reference.
96. Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products, 40 CFR Part 63, Subpart DDDD, as amended October 29, 2007, is hereby incorporated and adopted for reference.
97. Emission Standards for Hazardous Air Pollutants: Organic Liquid Distribution (non-gasoline), 40 CFR Part 63, Subpart EEEE, as amended December 22, 2008, is hereby incorporated and adopted for reference.
98. Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing, 40 CFR Part 63, Subpart FFFF, as amended December 22, 2008, is hereby incorporated and adopted by reference.
99. Emission Standards for Hazardous Air Pollutants for Source Categories: Vegetable Oil Production, 40 CFR Part 63, Subpart GGGG, as amended April 20, 2006, is hereby incorporated and adopted by reference.
100. Emission Standards for Hazardous Air Pollutants for Wet Formed Fiberglass Mat Production, 40 CFR Part 63, Subpart HHHH, as amended April 20, 2006, is hereby incorporated and adopted by reference.

101. Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks, 40 CFR Part 63, Subpart IIII, as amended April 24, 2007, is hereby incorporated and adopted by reference.
102. Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coatings, 40 CFR Part 63, Subpart JJJJ, as amended May 24, 2006, is hereby incorporated and adopted by reference.
103. Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans, 40 CFR Part 63, Subpart KKKK, as amended April 20, 2006, is hereby incorporated and adopted by reference.
104. [reserved]
105. Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products, 40 CFR Part 63, Subpart MMMM, as amended December 22, 2006, is hereby incorporated and adopted by reference.
106. Emission Standards for Hazardous Air Pollutants for Large Appliances Surface Coating Operations, 40 CFR Part 63, Subpart NNNN, as amended April 20, 2006, is hereby incorporated and adopted by reference.
107. Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles, 40 CFR Part 63, Subpart OOOO, as amended May 24, 2006, is hereby incorporated and adopted by reference.
108. Emission Standards for Hazardous Air Pollutants: Surface Coating of Plastic Parts and Products, 40 CFR Part 63, Subpart PPPP, as amended April 24, 2007, is hereby incorporated and adopted by reference.
109. Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products, 40 CFR Part 63, Subpart QQQQ, as amended April 20, 2006, is hereby incorporated and adopted by reference.
110. Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture, 40 CFR Part 63, Subpart RRRR, as amended April 20, 2006, is hereby incorporated and adopted by reference.
111. Emission Standards for Hazardous Air Pollutants for Metal Coil Surface Coating Operations, 40 CFR Part 63, Subpart SSSS, as amended March 17, 2003, is hereby incorporated and adopted by reference.
112. Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations, 40 CFR Part 63, Subpart TTTT, as amended February 7, 2005, is hereby incorporated and adopted by reference.
113. Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing, 40 CFR Part 63, Subpart UUUU, as amended December 22, 2008, is hereby incorporated and adopted by reference.

114. Emission Standards for Hazardous Air Pollutants for Source Categories: Boat Manufacturing, 40 CFR Part 63, Subpart VVVV, as amended October 3, 2001, is hereby incorporated and adopted by reference.
115. Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, 40 CFR Part 63, Subpart WWWW, as amended April 20, 2006, is hereby incorporated and adopted by reference.
116. Emission Standards for Hazardous Air Pollutants for Tire Manufacturing, 40 CFR Part 63, Subpart XXXX, as amended April 20, 2006, is hereby incorporated and adopted by reference.
117. Emission Standards for Hazardous Air Pollutants for Stationary Combustion Engines, 40 CFR Part 63, Subpart YYYY, as amended April 20, 2006, is hereby incorporated and adopted by reference.
118. Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines, 40 CFR Part 63, Subpart ZZZZ, as amended March 6, 2013, is hereby incorporated and adopted by reference.
119. Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants, 40 CFR Part 63, Subpart AAAAA, as amended April 20, 2006, is hereby incorporated and adopted by reference.
120. Emission Standards for Hazardous Air Pollutants: Semiconductor Manufacturing, 40 CFR Part 63, Subpart BBBB, as amended July 22, 2008, is hereby incorporated and adopted by reference.
121. Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, 40 CFR Part 63, Subpart CCCCC, as amended April 20, 2006, is hereby incorporated and adopted by reference.
122. Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR Part 63, Subpart DDDDD, as amended ~~January 31, 2013~~ November 19, 2014, is hereby incorporated and adopted by reference.
123. Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries, 40 CFR 63, Subpart EEEEE, as amended February 7, 2008, is hereby incorporated and adopted by reference.
124. Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing, 40 CFR Part 63, Subpart FFFFF, as amended July 13, 2006, is hereby incorporated and adopted by reference.
125. Emission Standards for Hazardous Air Pollutants: Site Remediation, 40 CFR Part 63, Subpart GGGGG, as amended December 22, 2008, is hereby incorporated and adopted by reference.
126. Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing, 40 CFR Part 63, Subpart HHHHH, as amended December 22, 2008, is hereby incorporated and adopted by reference.

127. Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants, 40 CFR Part 63, Subpart IIIII, as amended April 20, 2006, is hereby incorporated and adopted by reference.
128. [reserved]
129. [reserved]
130. Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing, 40 CFR Part 63, Subpart LLLLL, as amended April 20, 2006, is hereby incorporated and adopted by reference.
131. Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations, 40 CFR Part 63, Subpart MMMMM, as amended April 20, 2006, is hereby incorporated and adopted by reference.
132. Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production, 40 CFR Part 63, Subpart NNNNN, as amended April 20, 2006, is hereby incorporated and adopted by reference.
133. [reserved]
134. Emission Standards for Hazardous Air Pollutants: Engine Test Cells/Stands, 40 CFR Part 63, Subpart PPPPP, as amended April 20, 2006, is hereby incorporated and adopted by reference.
135. Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities, 40 CFR Part 63, Subpart QQQQQ, as amended April 20, 2006, is hereby incorporated and adopted by reference.
136. Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing, 40 CFR Part 63, Subpart RRRRR, as amended April 20, 2006, is hereby incorporated and adopted by reference.
137. Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing, 40 CFR Part 63, Subpart SSSSS, as amended April 20, 2006, is hereby incorporated and adopted by reference.
138. Emission Standards for Hazardous Air Pollutants for Primary Magnesium Manufacturing, 40 CFR Part 63, Subpart TTTTT, as amended April 20, 2006, is hereby incorporated and adopted by reference.
139. Emission Standards for Hazardous Air Pollutants for Coal- and Oil-Fired Electric Utility Steam Generating Units, 40 CFR Part 63, Subpart UUUUU, as amended ~~April 24, 2013~~ November 19, 2014, is hereby incorporated and adopted by reference.
140. [reserved]

141. Emission Standards for Hospital Ethylene Oxide Sterilizers, 40 CFR Part 63, Subpart WWWW, as promulgated December 28, 2007, is hereby incorporated and adopted by reference.
142. [reserved]
143. Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities, 40 CFR Part 63, Subpart YYYYY, as promulgated December 28, 2007, is hereby incorporated and adopted by reference.
144. Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources, 40 CFR Part 63, Subpart ZZZZ, as promulgated January 2, 2008, is hereby incorporated and adopted by reference.
145. [reserved]
146. Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Bulk Terminals, Bulk Plants, and Pipeline Facilities, 40 CFR Part 63, Subpart BBBB, as amended January 24, 2011, is hereby incorporated and adopted by reference.
147. Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, 40 CFR Part 63, Subpart CCCCC, as amended January 24, 2011, is hereby incorporated and adopted by reference.
148. Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources, 40 CFR Part 63, Subpart DDDDD, as amended April 17, 2012, is hereby incorporated and adopted by reference.
149. Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources, 40 CFR Part 63, Subpart EEEEE, as amended July 3, 2007, is hereby incorporated and adopted by reference.
150. Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources, 40 CFR Part 63, Subpart FFFFF, as amended July 3, 2007, is hereby incorporated and adopted by reference.
151. Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources – Zinc, Cadmium, and Beryllium, 40 CFR Part 63, Subpart GGGGG, as promulgated January 23, 2007, is hereby incorporated and adopted by reference.
152. Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources, 40 CFR Part 63, Subpart HHHHH, as amended February 13, 2008, is hereby incorporated and adopted by reference.
153. [reserved]
154. Emission Standards for Hazardous Air Pollutants: Industrial, Commercial, and Institutional Boilers, Area Sources, 40 CFR Part 63, Subpart JJJJJ, promulgated February 1, 2013, is hereby incorporated and adopted by reference.

155. [reserved]

156. Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources, 40 CFR Part 63, Subpart LLLLLL, as amended March 26, 2008, is hereby incorporated and adopted by reference.

157. Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources, 40 CFR Part 63, Subpart MMMMMM, as amended March 26, 2008, is hereby incorporated and adopted by reference.

158. Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds, 40 CFR Part 63, Subpart NNNNNN, as amended March 26, 2008, is hereby incorporated and adopted by reference.

159. Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources, 40 CFR Part 63, Subpart OOOOOO, as amended March 26, 2008, is hereby incorporated and adopted by reference.

160. Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources, 40 CFR Part 63, Subpart PPPPPP, as amended March 26, 2008, is hereby incorporated and adopted by reference.

161. Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources, 40 CFR Part 63, Subpart QQQQQQ, as amended March 26, 2008, is hereby incorporated and adopted by reference.

162. Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources, 40 CFR Part 63, Subpart RRRRRR, as promulgated December 26, 2007, is hereby incorporated and adopted by reference.

163. Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources, 40 CFR Part 63, Subpart SSSSSS, as promulgated December 26, 2007, is hereby incorporated and adopted by reference.

164. Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources, 40 CFR Part 63, Subpart TTTTTT, as promulgated December 26, 2007, is hereby incorporated and adopted by reference.

165. [reserved]

166. Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources, 40 CFR Part 63, Subpart VVVVVV, as amended December 21, 2012, is hereby incorporated and adopted by reference.

167. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations, 40 CFR Part 63, Subpart WWWWWW, as amended September 19, 2011, is hereby incorporated and adopted by reference.

168. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories, 40 CFR Part 63, Subpart XXXXXX, as promulgated July 23, 2008, is hereby incorporated and adopted by reference.

169. Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities, 40 CFR Part 63, Subpart YYYYYY, as promulgated December 23, 2008, is hereby incorporated and adopted by reference.

170. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries, 40 CFR Part 63, Subpart ZZZZZZ, as amended September 10, 2009, is hereby incorporated and adopted by reference.

171. Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing, 40 CFR Part 63, Subpart AAAAAAA, as amended March 18, 2010, is hereby incorporated and adopted by reference.

172. Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry, 40 CFR Part 63, Subpart BBBBBBB, as promulgated December 30, 2009, is hereby incorporated and adopted by reference.

173. Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing, 40 CFR Part 63, Subpart CCCCCCC, as amended June 3, 2010, is hereby incorporated and adopted by reference.

174. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing, 40 CFR Part 63, Subpart DDDDDDD, as amended December 23, 2011, is hereby incorporated and adopted by reference.

175. Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category, 40 CFR Part 63, Subpart EEEEEEE, as promulgated February 17, 2011, is hereby incorporated and adopted by reference.

176. [reserved]

177. [reserved]

178. Emission Standards for Hazardous Air Pollutants: Polyvinyl Chloride and Copolymers Production, 40 CFR Part 63, Subpart HHHHHHH, as promulgated April 17, 2012, is hereby incorporated and adopted by reference.

Rule 391-3-1-.03(8), "Permit Requirements," is amended to read as follows:

(8) Permit Requirements.

(a) Each application for a permit to construct a new stationary source or modify an existing stationary source shall be subjected to a preconstruction or premodification review by the Director. The Director shall determine prior to issuing any permit that the proposed construction or modification will not cause or contribute to a failure to attain (as expeditiously as practicable) or maintain any ambient air quality standard, a significant deterioration of air quality, or a violation of any applicable emission limitation or standard of performance or other requirement under the Act or this Chapter (391-3-1). Each person applying to the Director for a permit to construct a new stationary source or modify an existing stationary source shall provide information required by the Director to make such determination.

(b) In addition to any other requirement under the Act, or this Chapter (391-3-1), no permit to construct a new stationary source or modify an existing stationary source shall be issued unless such proposed source meets all the requirements for review and for obtaining a permit prescribed in Title I, Part C of the Federal Act, and Section 391-3-1-.02(7) of these Rules.

(c) In addition to any other requirement under the Act or this Chapter (391-3-1), no permit to construct a new or modified major stationary source to be located in any area of the State determined and designated by the U.S. EPA Administrator or the Director as not attaining a National Ambient Air Quality Standard or in areas contributing to the ambient air levels of such pollutants in such areas of non-attainment shall be issued unless the following provisions are met. The provisions of 391-3-1-.02(7) apply to projects subject to this subparagraph as specified in Subparagraph (g) of this paragraph.

1. The Director determines that by the time the source is to commence operation, sufficient offsetting emissions reductions have been obtained, such that total allowable emissions from existing sources in the non-attainment area or areas designated by the Director as contributing to ambient air levels of such pollutants in the non-attainment area, from new or modified sources which are not major emitting facilities, and from the proposed sources, will be sufficiently less than total emissions from existing sources allowed prior to the application for such permit to construct or modify, so as to represent (when considered together with other air pollution control measures legally enforced in such area or region) reasonable further progress (as defined in Section 171 of the Federal Act); and
2. The proposed source is required to comply with the lowest achievable emission rate; and
3. The owner or operator of the proposed new or modified source has demonstrated that all major stationary sources owned or operated by such person (or by an entity controlling, controlled by, or under common control with such person) in this State, are subject to emission limitations and are in compliance, or on a schedule for compliance, with all applicable emission limitations and standards under the Act; and
4. An analysis (by the person proposing such construction or modification) of alternative sites, sizes, production processes and environmental control techniques for such proposed source demonstrates to the satisfaction of the Director that benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its proposed location, construction, or modification; and
5. The State's Implementation Plan (approved by the Administrator pursuant to the Federal Act) is being carried out in the non-attainment area or an area designated by the Director as contributing to the ambient air level of any such pollutant in a non-attainment area in which the proposed source is to be constructed or modified in accordance with the requirements of Title I, Part D of the Federal Act.
6. The offset baseline for determining credits for emission reductions at a source is either the applicable emission limits in the Chapter or the actual emissions, in tons per year, at the time the application to construct is filed, whichever is less. The time period used to calculate the baseline emissions shall be the 24-month period immediately preceding the date the application to construct is filed. The Division may allow the use of a different time period upon a determination that such period is more representative of normal source operation.

7. (i) Emission reductions achieved by shutting down an existing source or permanently curtailing production or operating hours below baseline levels may be credited provided that the work force to be affected has been notified of the proposed shutdown or curtailment.

(ii) In addition, emissions reductions achieved by shutting down an existing emission unit or curtailing production or operating hours may be generally credited for offsets if they meet the requirements in subparagraphs (I) and (II) of this subparagraph:

(I) Such reductions are surplus, permanent, quantifiable, and federally enforceable.

(II) The shutdown or curtailment occurred after the last day of the base year for the most recently submitted attainment demonstration, maintenance plan, reasonable further progress plan, or rate of progress plan. For purposes of this paragraph, the Division may choose to consider a prior shutdown or curtailment to have occurred after the last day of the base year if the projected emissions inventory used to develop the attainment demonstration, maintenance plan, reasonable further progress plan, or rate of progress plan explicitly includes the emissions from such previously shutdown or curtailed emission units. However, in no event may credit be given for shutdowns that occurred before August 7, 1977.

(iii) Emission reductions achieved by shutting down an existing emission unit or curtailing production or operating hours and that do not meet the requirements in subparagraph 7.(ii)(II) of this subparagraph may be generally credited only if:

(I) The shutdown or curtailment occurred on or after the date the construction permit application is filed; or

(II) The applicant can establish that the proposed new emissions unit is a replacement for the shutdown or curtailed emissions unit, and the emissions reductions achieved by the shutdown or curtailment met the requirements of subparagraph 7.(ii)(I) of this subparagraph.

8. No emission offset credit may be allowed for replacing one VOC compound with another of less reactivity.

9. Procedures relating to the permissible location of offsetting emissions shall be followed which are at least as stringent as those contained in 40 CFR, Part 51, Appendix S, Section IV.D.

10. Offset credit for an emission reduction can be claimed to the extent that the Director has not relied on it in issuing any other permit or has not relied on it in demonstrating attainment of reasonable further progress.

11. The Director may elect not to consider fugitive emissions, to the extent they are quantifiable, in calculating the potential to emit from a stationary source or modification in determining whether the source is major and the source does not belong to any of the following categories:

(i) Coal cleaning plants (with thermal dryers);

(ii) Kraft pulp mills;

(iii) Portland cement plants;

- (iv) Primary zinc smelters;
- (v) Iron and steel mills;
- (vi) Primary aluminum ore reduction plants;
- (vii) Primary copper smelters;
- (viii) Municipal incinerators capable of charging more than 250 tons of refuse per day;
- (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- (x) Petroleum refineries;
- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);
- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
- (xxii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- (xxiii) Taconite ore processing plants;
- (xxiv) Glass fiber processing plants;
- (xxv) Charcoal production plants;
- (xxvi) Fossil fuel-fired steam electric plants for more than 250 million British thermal units per hour heat input; and
- (xxvii) Any other stationary source category which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Act.

12. Offsets.

(i) The owner or operator of a new or modified major stationary source may comply with any offset requirement in effect under this subsection for increased emissions of any air pollutant only by obtaining emission reductions of such air pollutants from the same source or other sources in the same non-attainment area, except that the Director may allow the owner or operator of a source to obtain such emission reductions in another non-attainment area if:

(I) The other area has an equal or higher non-attainment classification than the area in which the source is located;

(II) Emissions from such other area contribute to a violation of the national ambient air quality standard in the non-attainment area in which the source is located; and

(III) Such emission reductions shall be, by the time a new or modified source commences operation, in effect and enforceable and shall assure that the total tonnage of increased emissions of the air pollutant from the new or modified source shall be offset by an equal or greater reduction, as applicable, in the actual emissions of such air pollutant from the same or other sources in the area.

(ii) Emission reductions otherwise required by the Federal Act shall not be creditable as emissions reductions for purposes of any such offset requirement. Incidental emission reductions that are not otherwise required by the Federal Act shall be creditable as emission reductions for such purposes if such emission reductions meet the requirements of subparagraph (8)(c)1.

(iii) In order to be used as an offset under this subsection, emission reductions must satisfy the criteria in section (13), subsections (a) and (b).

(iv) At least 30 days prior to commencement of operation of the new or modified stationary source permitted under this subparagraph, the owner or operator shall provide documentation to the Division of the possession of sufficient offsets required under subparagraph (c)1. and as specified under subparagraph (c)13., 14., or 15., whichever is applicable, as follows:

(I) If offsets are obtained from the Emission Reduction Credit Banking Program specified under paragraph 391-3-1-.03(13), the owner or operator shall submit an application or applications for Use of Emission Reduction Credits as required under 391-3-1-.03(13)(f) using forms specified by the Division. If said offsets are not currently owned by the owner or operator, the current owner/operator must submit an application or applications to Transfer Ownership of Emission Reduction Credits as required under 391-3-1-.03(13)(g) using forms specified by the Division simultaneously with or prior to submittal of the application or applications to withdraw Emission Reduction Credits.

(II) If offsets are not obtained from the Emission Reduction Credit banking program, the owner or operator shall submit the following information. (If offsets are obtained from one or more enforceable mechanisms, items I through VI shall be submitted for each enforceable mechanism.):

I. The name of the permittee that generated the offsets.

- II. The name of the plant or facility at which the offsets were generated.
- III. The address (street address, city, state, zip code, and county) of the plant or facility at which the offsets were generated. (This should be for the physical location of the plant or facility.)
- IV. Identification of the enforceable mechanism (permit number and date of issuance, permit amendment number and date of issuance, or date of permit revocation) that resulted from creation of the offsets.
- V. The number of offsets from the permit, permit amendment, or permit revocation identified in IV, above, that will be used for the new or modified stationary source permitted under this subparagraph.
- VI. If the offsets were created by an owner or operator other than the owner or operator which will be using the offsets for the new or modified stationary source permitted under this paragraph, a letter from the owner or operator that created the offsets shall be submitted to the Division stating that the offsets have been transferred to the owner or operator that will be using the offsets, the date of such transfer, the number of offsets transferred, and the information contained in I through IV above.

(v) [Reserved.]

(vi) When multiple new or modified emissions units are permitted at the same time but commence operation on different dates, the documentation required under subparagraph (iv) shall be submitted to the Division at least 30 days prior to commencement of each new or modified emissions unit in order to demonstrate that adequate offsets have been obtained for each new or modified emissions unit prior to commencement.

13. Additional Provisions for Ozone Non-Attainment Areas for Counties that were Formerly Part of the 1-hour Ozone Non-Attainment Area.

(i) In Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties, the terms “major source” and “major stationary source” include any stationary source or group of sources located within a contiguous area and under common control that emits, or has the potential to emit, at least 25 tons per year of volatile organic compounds or nitrogen oxides. Any physical change that would occur at a stationary source not qualifying as a major stationary source as defined in this subparagraph shall be considered a “major stationary source” if the change would constitute a major stationary source by itself.

(ii) Increased emissions of volatile organic compounds or nitrogen oxides resulting from any physical change in, or change in the method of operation of, a stationary source located in these counties shall not be considered de minimis for purposes of determining the applicability of the permit requirements established by this subsection unless the net emissions increase of such air pollutant from such source does not exceed 25 tons when aggregated over any period of five consecutive calendar years which includes the calendar year in which such increase occurred.

(iii) In the case of any major stationary source located in these counties which emits or has the potential to emit less than 100 tons of volatile organic compounds or nitrogen oxides per year, whenever any change (as described in Section 111(a)(4) of the Federal Act) at that source results in any increase (other than a de minimis increase) in emissions of volatile organic

compounds or nitrogen oxides from any discrete operation, unit, or other pollutant emitting activity at the source, such increase shall be considered a modification for purposes of this subsection, unless the owner or operator of the source elects to offset the increase by a greater reduction in emissions of volatile organic compounds or nitrogen oxides from other operations, units, or activities within the source at an internal offset ratio of at least 1.3 to 1. If the owner or operator does not make such election, such change shall be considered a modification for such purposes. In applying this subsection in the case of any such modification, the best available control technology (BACT), as defined by the Federal Act, shall be substituted for the lowest achievable emission rate (LAER).

(iv) In the case of any major stationary source located in these counties which emits or has the potential to emit more than 100 tons of volatile organic compounds or nitrogen oxides per year, whenever any change (as described in Section 111(a)(4) of the Federal Act) at that source results in any increase (other than a de minimis increase) in emissions of volatile organic compounds or nitrogen oxides from any discrete operation, unit, or other pollutant emitting activity at the source, such increase shall be considered a modification for purposes of this subsection, except that if the owner or operator of the source elects to offset the increase by a greater reduction in emissions of volatile organic compounds or nitrogen oxides from other operations, units, or activities within the source at an internal offset ratio of at least 1.3 to 1, the requirements of this subsection concerning lowest achievable emission rate (LAER) shall not apply.

(v) For purposes of satisfying the emission offset requirements of this subsection, the ratio of total emission reductions of volatile organic compounds or nitrogen oxides to total increased emissions of such air pollutant shall be at least 1.3 to 1 for emission offsets external to the contiguous area under common control at which the proposed new emission point is located.

14. Additional Provisions for Ozone Non-Attainment Areas for Counties that were Not Formerly Part of the 1-hour Ozone Non-Attainment Area.

(i) In Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton counties, the terms “major source” and “major stationary source” include any stationary source or group of sources located within a contiguous area and under common control that emits, or has the potential to emit, at least 100 tons per year of volatile organic compounds or nitrogen oxides. Any physical change that would occur at a stationary source not qualifying as a major stationary source as defined in this subparagraph shall be considered a “major stationary source” if the change would constitute a major stationary source by itself.

(ii) Any physical change in or change in the method of operation of a major stationary source located in these counties that results in a net emissions increase of volatile organic compounds or nitrogen oxides equal to or exceeding 40 tons per year of such air pollutant shall be considered a modification when determining the applicability of the permit requirements established by this subsection. “Net emissions increase” shall have the meaning defined in subparagraph (8)(g)1.(iii) of this rule.

(iii) [Reserved.]

(iv) For purposes of satisfying the emission offset requirements of this subsection, the ratio of total emission reductions of volatile organic compounds or nitrogen oxides to total increased emissions of such pollutants shall be at least 1.15 to 1 for emission offsets external or internal to

the contiguous area under common control at which the proposed new emission point is located.

15. Additional Provisions for Electrical Generating Units Located in Areas Contributing to the Ambient Air Level of Ozone in the Metropolitan Atlanta Ozone Non-Attainment Area.

(i) 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, the terms “major source” and “major stationary source” include any stationary source or group of sources located within a contiguous area and under common control, containing an electrical generating unit, and that emits, or has the potential to emit, at least 100 tons per year of nitrogen oxides from electrical generating units. Any physical change that would occur at a stationary source not qualifying as a major stationary source as defined in this subparagraph shall be considered a “major stationary source” if the change would constitute a major stationary source by itself.

(ii) Any physical change or change in the method of operation at a major stationary source in these counties that results in a net emissions increase of nitrogen oxides equal to or exceeding 40 tons per year of such air pollutant from the installation or modification of one or more electrical generating units shall be considered a modification when determining the applicability of the permit requirements established by this subsection. “Net emissions increase” shall have the meaning defined in subparagraph (8)(g)1.(iii) of this rule.

(iii) In the case of any new electrical generating unit or modified existing electrical generating unit located at a new or modified major stationary source in these counties, the requirements of 391-3-1-.03(8)(c)2. shall only apply to that electrical generating unit and best available control technology (BACT), as defined by the Federal Act, shall be substituted for the lowest achievable emission rate (LAER).

(iv) For purposes of satisfying the emission offset requirements of this subsection, the ratio of total emission reductions of nitrogen oxides to total increased emissions of such pollutant from the new or modified electrical generating units shall be at least 1.1 to 1 for emission offsets external or internal to the contiguous area under common control at which the proposed new or modified major stationary source is located.

(v) [Reserved.]

(vi) [Reserved.]

(vii) For the purpose of this subsection, “electrical generating unit” means a fossil fuel fired stationary boiler, combustion turbine, or combined cycle system that serves a generator that produces electricity for sale.

16. Additional Provisions for PM_{2.5} Non-Attainment Areas

(i) In Barrow, Bartow, Carroll, ~~Catoosa~~, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, ~~Walker~~, and Walton counties, and the Heard and Putnam partial-county areas that are part of the Atlanta PM_{2.5} nonattainment area, the terms “major source” and “major stationary source” include any stationary source or group of sources located within a contiguous area and under common control that emits, or has the potential to emit, at least 100 tons per year of direct PM_{2.5}

emissions, sulfur dioxide, or nitrogen oxides. Any physical change that would occur at a stationary source not qualifying as a major stationary source as defined in this subparagraph shall be considered a "major stationary source" if the change would constitute a major stationary source by itself.

(ii) Any physical change in or change in the method of operation of a major stationary source located in these counties that results in a net emissions increase of direct PM_{2.5} emissions equal to or exceeding 10 tons per year or a net emissions increase of sulfur dioxide or nitrogen oxide emissions equal to or greater than 40 tons per year of such air pollutant shall be considered a modification when determining the applicability of the permit requirements established by this subsection. "Net emissions increase" shall have the meaning defined in subparagraph (8)(g)1.(iii) of this rule.

(iii) For purposes of satisfying the emission offset requirements of this subsection, the ratio of total emission reductions of direct PM_{2.5} emissions, sulfur dioxide, or nitrogen oxides to total increased emissions of such pollutants shall be at least 1 to 1 for emission offsets external or internal to the contiguous area under common control at which the proposed new emission point is located. Emission offsets obtained shall be for the same regulated NSR pollutant. Interprecursor offsetting is not allowed.

(iv) Sulfur dioxide is a precursor to PM_{2.5} in all PM_{2.5} nonattainment areas.

(v) Nitrogen oxides are not precursors to PM_{2.5} in all nonattainment areas. The provisions in this subparagraph (v) become effective upon U.S. EPA's approval of this provision into Georgia's State Implementation Plan. Upon approval of this SIP provision into Georgia's State Implementation Plan, the provisions relating to nitrogen oxides contained in subparagraphs (8)(c)16.(i), (ii), and (iii) no longer apply.

(vi) PM_{2.5} emissions shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperatures. On or after January 1, 2011, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM_{2.5} in PM_{2.5} nonattainment major NSR permits. Unless otherwise stated in the permit, compliance with emissions limitations for PM_{2.5} issued prior to this date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particulate matter to be included.

(vii) for the purpose of this subparagraph (8)(c)16., the following definitions apply:

(I) "Heard partial-county area" means the northeast portion of Heard County that extends north of 33 degrees 24 minutes (north) to the Carroll County border and east of 85 degrees three minutes (west) to the Coweta County border.

(II) "Putnam partial-county area" means the area of Putnam County described by U.S. Census 2000 block group identifier 13-237-9603-1.

(d) [reserved]

(e) The Director shall, upon analysis of the ambient air in the State, determine, and so designate, those areas of the State, if any, which are not attaining any National Ambient Air Quality Standards specified under the Federal Act, and any area contributing to the ambient air level of any such pollutant (for which such a standard has been established) in such areas of non-attainment. The Director's analyses determinations, and designations hereunder shall be used for the purpose of implementing the requirements of this section, shall be continuing, and shall be conducted in a manner sufficient to meet the requirements of Title 1, Part D of the Federal Act.

1. The counties of 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 have been determined by the Director as areas contributing to the ambient air level of ozone in the metropolitan Atlanta ozone non-attainment area which consists of the counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton. No permit to construct an electric generating unit at a new or modified major stationary source in this area shall be issued unless such proposed source meets all the requirements of Subsection (8)(c).

(f) In addition to any other requirement under the Act, or this Chapter 391-3-1, no permit to construct a new stationary source or modify an existing stationary source shall be issued unless such proposed source or modification meets all the requirements for review and for obtaining a permit prescribed in Paragraph 391-3-1-.02(9)(b)16. of this Rule.

(g) The following provisions of paragraph 391-3-1-.02(7) apply to projects subject to the permitting requirements of subparagraph (c) of this paragraph with respect to those pollutants subject to Subparagraph (c).

1. 391-3-1-.02(7)(a)2. Definitions, with the following exceptions and additions:

(i) The definition of "Major Stationary Source" does not apply.

(ii) Within the definition of "Major Modification,"

(I) The date within the "capable of accommodating" provision shall be December 21, 1976; and

(II) Paragraphs 40 CFR 52.21(b)(2)(iii)(j) and (k) do not apply.

(iii) The definition of "Net Emissions Increase," as it pertains to subparagraphs 8(c)14.(ii), 8(c)15.(ii), and 8(c)16.(ii) of this rule, shall have the meaning defined in 40 CFR 51.165(a)(1)(vi) with the following exceptions:

(I) In lieu of (a)(1)(vi)(A)(1), the following shall apply: The increase in emissions from a particular change or change in the method of operation at a stationary source pursuant to paragraph 52.21(a)(2)(iv) as adopted in subparagraph (7)(a)3. of this rule; and

(II) In (a)(1)(vi)(A)(2), baseline actual emissions shall be determined as provided in subparagraph (7)(a)2.(i) of this rule, except that sub paragraphs (7)(a)2.(i)(I)III. and (7)(a)2.(i)(II)IV. do not apply.

(iv) To the definition of “Secondary Emissions,” the following sentence is added: “Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions.”

(v) The definition of “Significant” does not apply.

(vi) “Lowest achievable emission rate” or “LAER” means, for any source, the more stringent rate of emissions is based on the following:

(I) The most stringent emission limitation which is contained in the implementation plan of any State for such class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that such limitations are not achievable; or

(II) The most stringent emission limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emission rate for the new or modified emission units within the stationary source. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under applicable new source standards of performance.

2. 391-3-1-.02(7)(a)3., Applicability procedures, with the following exception:

(i) The term “significant amount” in subparagraph (7)(a)3. shall mean an increase that is not considered de minimis as specified in 391-3-1-.03(8)(c)13.(ii) or that is considered as a modification as specified in 391-3-1-.03(8)(c)14.(ii), 15.(ii), or 16.(ii).

3. 391-3-1-.02(7)(a)4.

4. 391-3-1-.02(7)(b)14., Public participation.

5. 391-3-1-.02(7)(b)15., Source obligation, with the following exception:

(i) The term “significant amount” in subparagraph (7)(b)15.(i)(V) shall mean an increase that is not considered de minimis as specified in 391-3-1-.03(8)(c)13.(ii) or that is considered as a modification as specified in 391-3-1-.03(8)(c)14.(ii), 15.(ii), or 16.(ii).

6. 391-3-1-.02(7)(b)21., Actual PALs, with the following exception:

(i) Under the provision for “Setting the 10-year actual PAL level” specified in paragraph 40 CFR 52.21(aa)(6), the amount added to the baseline actual emissions shall be the amount that is considered de minimis as specified in 391-3-1-.03(8)(c)13.(ii) or that is considered not to be a modification as specified in 391-3-1-.03(8)(c)14.(ii), 15.(ii), or 16.(ii).

Rule 391-3-1-.03(10), “Title V Operating Permits,” is amended to read as follows:

(10) Title V Operating Permits.

(a) General Requirements.

1. The provisions of this ~~section~~paragraph (10) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations

(hereinafter, 40 CFR), Part 70.

2. All sources subject to this ~~section~~paragraph (10) shall have a Part 70 Permit to operate that assures compliance by the source with all applicable requirements. Such Part 70 Permits will be issued consistent with the timing established in sub~~section~~paragraph (10)(c).

3. The requirements of this ~~section~~paragraph (10), including provisions regarding schedules for submission and approval or disapproval of permit applications, shall apply to the permitting of affected sources under the federal acid rain program except as provided herein or modified in federal regulations promulgated under Title IV of the federal Clean Air Act.

4. Definitions: For the purpose of this ~~Section~~paragraph (10), 40 CFR Part 70.2 is hereby incorporated and adopted by reference, with the following exception(s):

(i) "Potential to emit" shall have the meaning ascribed in sub~~section~~paragraph (ddd) of rule 391-3-1-.01.

(ii) In addition to the major sources defined in 40 CFR 70.2, the following shall also be considered a major source: for the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, sources with the potential to emit 25 tpy or more of volatile organic compounds or oxides of nitrogen.

(iii) The definition and use of the term "subject to regulation" in 40 CFR, Part 70.2 is hereby incorporated by reference; provided, however, that in the event all or any portion of 40 CFR, Part 70.2 containing that term is:

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

Such action shall render the regulation as incorporated herein, or that portion thereof that may be affected by such action as invalid, void, stayed, or otherwise without force and effect for purposes of this rule upon the date such action becomes final and effective; provided, further, that such declaration, adjudication, stay, or other action described herein, shall not affect the remaining portions, if any, of the regulation as incorporated herein, which shall remain of full force and effect as if such portion so declared or adjudged invalid or unconstitutional or stayed or otherwise invalidated or effected were not originally a part of this rule. The Board declares that it would have incorporated the remaining parts of the federal regulation if it had known that such portion hereof would be declared or adjudged invalid or unconstitutional or stayed or otherwise rendered of no force and effect.

5. The subparagraphs of ~~P~~paragraph (10) that incorporate by reference portions of 40 CFR, Part 70 are as promulgated and published in the Federal Register through ~~June 3, 2010~~July 28, 2014, unless otherwise specified.

(b) Applicability.

1. The following sources shall be subject to this ~~section~~paragraph (10):

- (i) Any major source as defined in 40 CFR Part 70.2, which is incorporated by reference in §subparagraph (a)4;
 - (ii) Any source, including an area source, subject to a standard, limitation, or other requirement under Section 111 of the federal Act;
 - (iii) Any source, including an area source, subject to a standard or other requirement under Section 112 of the federal Act, except that a source is not required to obtain a permit solely because it is subject to regulations or requirements under Section 112(r) of the federal Act;
 - (iv) Any affected source as defined in 40 CFR Part 70.2, which is incorporated by reference in §subparagraph (a)4; and
 - (v) Any source in a source category designated by the EPA Administrator pursuant to 40 CFR Part 70.3.
2. The following sources shall not be subject to this ~~section~~paragraph (10):
- (i) Any source listed in subparagraph 10(b)1.(ii) that is not a major source;
 - (ii) Any source required to obtain a permit solely because they are subject to 40 CFR Part 61, Subpart M, National Emission Standard for Hazardous Air Pollutants for Asbestos, 61.145, Standard for Demolition and Renovation, or solely because they are subject to 40 CFR Part 60, Subpart AAA Standards of Performance for New Residential Wood Heaters; and
 - (iii) Any source listed in subparagraph (10)(b)1.(iii) that is an area source except those subject to an Emission Standard for Hazardous Air Pollutants under 40 CFR Part 63 that does not exempt the owner or operator from the obligation to obtain a Part 70 permit.
3. Emission units and Part 70 permits.
- (i) For major sources, Part 70 permits shall include all applicable requirements for all relevant emission units in the major source.
 - (ii) For any non-major source subject to the requirements of this ~~section~~paragraph (10), Part 70 permits shall include all applicable requirements applicable to emission units that cause the source to be subject to this ~~section~~paragraph (10).
4. Fugitive emissions from a source subject to the requirements of this ~~section~~paragraph (10) shall be included in the permit application and the Part 70 permit in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source.
5. Any Part 70 source may make Section 502(b)(10) changes as defined in 40 CFR 70.2, which is incorporated by reference in §subparagraph (a)4, without requiring a Part 70 permit revision, if the changes are not modifications under any provisions of Title I of the federal Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions). For each such change, the source shall provide the Director and the EPA Administrator with written notification as required below in advance of the proposed changes and shall obtain any permits required under Rules 391-3-1-.03(1) and (2). The source and the Director shall attach each such notice to their copy of the

relevant permit.

(i) For each such change, the source's written notification and application for a construction permit shall be submitted well in advance of any critical date (construction date, permit issuance date, etc.) involved in the change, but no less than seven days in advance of such change and shall include a brief description of the change within the permitted facility, the date on which the change is proposed to occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in subparagraph (d)6. shall not apply to any change made pursuant to this paragraph.

6. Off-permit Changes: Any Part 70 source may make changes that are not addressed or prohibited by the permit, other than those described in subparagraph 7., without a Part 70 permit revision, provided the following requirements are met:

(i) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.

(ii) Sources must provide contemporaneous written notice to the Director and EPA Administrator of each such change, except for changes that qualify as insignificant as specified in Subparagraph (g). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

(iii) The change shall not qualify for the shield under subparagraph (10)(d)6.

(iv) The permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

(v) The source shall obtain any permits required under Rules 391-3-1-.03(1) and (2).

7. No Part 70 source may make, without a permit revision, any changes that are not addressed or prohibited by the Part 70 permit, if such changes are subject to any requirements under Title IV of the federal Act or are modifications under any provision of Title I of the federal Act.

8. Any source listed in subparagraph (10)(b)1. exempt from the requirement to obtain a permit under this ~~section~~paragraph (10) may opt to apply for a permit under a Part 70 program.

(c) Permit Applications

1. For each Part 70 source, the owner or operator shall submit a complete application:

(i) Within 12 months after the U. S. EPA grants approval of this ~~section~~paragraph (10) or on or before such earlier date as the Director may establish, for a source applying for the first time;

(ii) Within 12 months after commencing operation, for a source required to meet the requirements under ~~s~~Section 112(g) of the federal Clean Air Act or to have a permit under the preconstruction review program requirements of Rule 391-3-1-.03(8)(b) or Rule 391-3-1-.03(8)(c). Where an existing Part 70 permit would prohibit such construction or change in

operation, the source must obtain a permit revision before commencing operation;

(iii) At least six months, but not more than 18 months prior to the date of permit expiration, for a source subject to permit renewal; or

(iv) By January 1, 1996, for initial Phase II sulfur dioxide acid rain permits and by January 1, 1998, for initial Phase II nitrogen oxide acid rain permits.

(v) within 12 months after commencing operation for a major source which commences operation after the date specified in subparagraph (10)(c)1.(i).

2. Standard Permit Application and Required Information. The application shall be made in a format specified by the Director. It shall be signed by a responsible official, as defined in 40 CFR 70.2, which is incorporated by reference in ~~§~~subparagraph (a)4, certifying its truthfulness, accuracy and completeness. For the purpose of this ~~section~~paragraph (10), 40 CFR 70.5(c) and 40 CFR 70.5(d) are hereby incorporated and adopted by reference. The application may require additional pertinent information which is not specified in 40 CFR 70.5(c), as incorporated by reference in this subparagraph, as the Director may require. To be deemed complete, an application must provide all information required pursuant to this ~~subparagraph~~ and ~~subparagraph~~ (g), except that applications for permit revision need supply such information only if it is related to the proposed change.

3. Unless the Director determines that an application, including renewal applications, is not complete within 60 days of receipt of the application, such application shall be deemed to be complete, except as otherwise provided in 40 CFR 70.7(a)(4) which is hereby incorporated by reference.

4. If, while processing an application that has been determined or deemed to be complete, the Director determines that additional information is necessary to evaluate or take final action on that application the Director may request such information in writing and set a reasonable deadline for a response. The source's ability to operate without a Part 70 permit shall be in effect from the date the application is determined or deemed to be complete until the final permit is issued, provided that the applicant submits any requested additional information by the deadline specified by the Director.

5. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

(d) Permit Content.

1. Standard Permit Requirements.

(i) For the purposes of this ~~section~~paragraph (10), 40 CFR Part 70.6(a) and 40 CFR 70.7(f) are hereby incorporated and adopted by reference.

(ii) The permit may include terms and conditions allowing for the trading of emissions changes in the permitted facility solely for the purpose of complying with a federally enforceable

emissions cap that is established in the permit independent of otherwise applicable requirements. The permit applicant shall include in its application proposed replicable procedures and permit terms that ensure that the emissions trades are quantifiable and enforceable. The Director shall not be required to include in the emissions trading provisions any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades. The following conditions apply to the emissions trades:

- (I) The permittee shall provide written notification to the Director and EPA no less than seven days in advance of any change made pursuant to this subparagraph. The written notification shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.
 - (II) The permit shield described in subparagraph (d)6. may extend to the permit terms and conditions that allow for the emissions increases and decreases described in this subparagraph.
 - (iii) The permit may include additional elements not specified in 40 CFR Part 70.6(a), which is incorporated by reference in §subparagraph (d)1.(i), as required by the Director.
2. The Director shall specifically designate as not being federally enforceable under the federal Clean Air Act any terms and conditions included in the permit that are not required under the federal Clean Air Act or under any of its applicable requirements. If the Director does not so designate a term or condition, it shall be deemed federally enforceable.
 3. Compliance Requirements. For the purposes of this ~~section~~paragraph (10), 40 CFR 70.6(c) is hereby incorporated and adopted by reference.
 4. General Permits: For the purpose of this ~~section~~paragraph (10), 40 CFR 70.6(d) is hereby incorporated and adopted by reference.
 5. The Director may issue a single permit authorizing emissions from similar operations by the same source owner or operator at multiple temporary locations. The operation must be temporary and involve at least one change of location during the term of the permit. No affected source shall be permitted as a temporary source. Permits for temporary sources shall include:
 - (i) Conditions that will assure compliance with all applicable requirements at all authorized locations;
 - (ii) Requirements that the owner or operator notify the Director at least 30 days in advance of each change in location; and
 - (iii) Conditions that assure compliance with all of the provisions of this ~~section~~paragraph.
 6. Permit Shield.
 - (i) Except as provided in this ~~section~~paragraph (10), the Director may expressly include in a Part 70 permit a provision stating that a source which is in compliance with the conditions of the permit shall be deemed to be in compliance with any applicable requirements as of the date of the permit issuance, provided that:

(I) Such applicable requirements are included and are specifically identified in the permit; or

(II) The Director, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

(ii) A Part 70 permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.

(iii) Nothing in this paragraph or in any Part 70 permit shall alter or affect the following:

(I) The provisions of ~~s~~Section 303 of the federal Clean Air Act (emergency orders), including the authority of the Administrator under that section or the provisions of O.C.G.A. Section 12-9-14.;

(II) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or

(III) The applicable requirements of the acid rain program, consistent with ~~s~~Section 408(a) of the federal Clean Air Act; or

(IV) The ability of EPA to obtain information from a source pursuant to ~~s~~Section 114 of the federal Clean Air Act or of the Director to obtain information from a source pursuant to ~~section~~paragraph 391-3-1-.02(6).

7. Emergency Provision: For the purpose of subparagraph (d)7., 40 CFR Part 70.6(g) is hereby incorporated and adopted by reference.

(e) Permit Issuance, Renewal, Reopenings and Revisions.

1. Action on application.

(i) A permit, permit modification, or renewal may be issued only if all of the following conditions have been met:

(I) The Director has received a complete application, except that a complete application need not be received before issuance of a general permit under ~~subsection~~paragraph (d);

(II) Except for modifications qualifying for minor permit modification procedures under subparagraphs (e)5.(i) or (e)5.(ii), the Director has complied with the requirements for public participation under subparagraph (e)8.;

(III) The Director has complied with the requirements for notifying and responding to affected States under ~~subsection~~paragraph (f);

(IV) The conditions of the permit provide for compliance with all applicable requirements; and

(V) The EPA Administrator has received a copy of the proposed permit and any notices required under ~~subsection~~paragraph (f) and has not objected to issuance of the permit under ~~subsection~~paragraph (f) within the time period specified therein.

(ii) Except as provided under the initial transition plan or under regulations promulgated under

Title IV of the federal Clean Air Act, the Director shall take final action on each permit application (including request for permit modification or renewal) within 18 months after receiving a complete application.

(iii) The Director shall provide a statement that sets forth the legal and factual basis for the draft permit conditions (including references to the applicable statutory or regulatory provisions). The Director shall send this statement to EPA and to any other person who requests it.

(iv) The submittal of a complete application shall not affect the requirement that any source have a preconstruction permit under ~~Section~~paragraph 391-3-1-.03(8).

2. Requirement for a permit.

Except as provided in subparagraphs (b)5., ~~Part(e)5.(i)(V)~~ and ~~Part(e)5.(ii)(V)~~, no Part 70 source may operate after the time that it is required to submit a timely and complete application, except in compliance with a permit issued under this ~~section~~paragraph (10). If a Part 70 source submits a timely and complete application for permit issuance (including for renewal), the source's failure to have a Part 70 permit is not a violation until the Director takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Director any additional information identified as being needed to process the application.

3. Permit renewal and expiration.

(i) Permits being renewed are subject to the same procedural requirements, including those for public participation, affected State and EPA review, that apply to initial permit issuance.

(ii) Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.

(iii) If a timely and complete application for permit renewal is submitted, but the Director has failed to issue or deny the renewal permit before the end of the term of the previous permit, then the permit shall not expire until the renewal permit has been issued or denied and any permit shield that may be granted pursuant to subparagraph (d)6. shall extend beyond the original permit term until renewal.

4. Administrative permit amendments.

(i) Definitions: For the purpose of this paragraph, 40 CFR, Part 70.7(d)(1) is incorporated and adopted by reference.

(ii) Administrative permit amendments for purposes of the acid rain portion of the permit shall be governed by regulations promulgated under Title IV of the federal Clean Air Act.

(iii) An administrative permit amendment may be made by the Director consistent with the following:

(l) The Director shall take no more than 60 days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected States provided that it designates any such permit revisions as having been made pursuant to this subparagraph.

- (II) The Director shall submit a copy of the revised permit to the EPA Administrator.
- (III) The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.
- (iv) The Director may, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield for administrative permit amendments made pursuant to 40 CFR Part 70.7(d)(1)(v), which is incorporated by reference in ~~S~~subparagraph (e)4.(i) of this rule, which meet the requirements for significant permit modifications.

5. Permit modification.

A permit modification is any revision to a Part 70 permit that cannot be accomplished under subparagraph 4. A permit modification for purposes of the acid rain program shall be governed by regulations promulgated under Title IV of the federal Clean Air Act.

(i) Minor permit modification procedures.

(l) Minor permit modification procedures may be used only for those permit modifications that:

I. Do not violate any applicable requirement;

II. Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

III. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

IV. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject, including a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of 391-3-1-.03(8), and an alternative emissions limit approved pursuant to regulations promulgated under ~~s~~Section 112(j)(5) of the federal Clean Air Act;

V. Are not modifications under any provision of 391-3-1-.03(8); and

VI. Are not required by this ~~section~~paragraph (10) to be processed as a significant modification.

(II) An application requesting the use of minor permit modification procedures shall meet the requirements of ~~subsection~~paragraph (8) and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

II. The source's suggested draft permit;

III. Certification by a responsible official, consistent with ~~subsection~~paragraph (c), that the proposed modification meets the criteria for use of minor modification procedures and a request

that such procedures be used; and

IV. Completed forms for the Director to use to notify the EPA Administrator and affected States as required under ~~subsection~~paragraph (f).

(III) Within five working days of receipt of a complete minor permit modification application, the Director shall meet his obligation under subparagraph (f)(1) and subparagraph (f)(2)(i) to notify the EPA Administrator and affected States of the requested permit modification. The Director shall promptly send any notice required under subparagraph (f)(2)(ii) to the EPA Administrator.

(IV) The Director may not issue a final permit modification until after EPA's 45-day review period or until EPA has notified the Director that EPA will not object to issuance of the permit modification, whichever is first, although the Director can approve the permit modification prior to that time. Within 90 days of the Director's receipt of an application under minor permit modification procedures or 15 days after the end of the EPA Administrator's 45-day review period under subparagraph (f)(3), whichever is later, the Director shall:

I. Issue the permit modification as proposed;

II. Deny the permit modification application;

III. Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures; or

IV. Revise the draft permit modification and transmit to the EPA Administrator the new proposed permit modification as required by ~~subsection~~paragraph (f).

(V) The source may make changes proposed in its minor permit modification application as follows:

I. For proposed changes that require a permit in accordance with 391-3-1-.03(1), the source may make the change proposed in its minor permit modification application immediately after obtaining a permit for the modification pursuant to the requirements of 391-3-1-.03(1). After the source makes such change and until the Director takes any of the actions specified in ~~Part~~subparagraph (IV), the source must comply with the applicable requirements governing the change, the proposed permit terms and conditions, and requirements of the construction permit issued under 391-3-1-.03(1). During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions and the requirements of the construction permit issued under 391-3-1-.03(1) during this time period, the existing permit terms and conditions it seeks to modify and the requirements of the construction permit issued under 391-3-1-.03(1) may be enforced against it.

II. For proposed changes that do not require a permit in accordance with 391-3-1-.03(1), the source may make the change proposed in its minor permit modification application upon receipt of a letter from the Division acknowledging receipt of said application. If the Director denies the permit modification application in accordance with ~~Part~~subparagraph (IV)II, the existing terms and conditions that the applicant seeks to modify may be enforced by the Division.

(VI) The permit shield may not extend to minor permit modifications.

(ii) Group processing of minor permit modifications. The Director may modify the procedure outlined in subparagraph (e)5.(i) to process groups of a source's applications for certain modifications eligible for minor permit modification processing.

(l) Group processing of modifications may be used only for those permit modifications:

I. That meet the criteria for minor permit modification procedures under subparagraph (e)5.(i); and

II. That collectively are below 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in subparagraph (a)4., or 5 tons per year, whichever is least.

(II) An application requesting the use of group processing procedures shall meet the requirements of subparagraph (c)2. and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.

II. The source's suggested draft permit.

III. Certification by a responsible official that the proposed modification meets the criteria for use of group processing procedures under a request that such procedures be used.

IV. A list of the source's other pending applications awaiting group processing, and determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold set under ~~S~~subparagraph (e)5.(ii)(I)II.

V. Certification that the source has notified EPA of the proposed modification. Such notification need only contain a brief description of the proposed modification.

VI. Completed forms for the Director to use to notify the EPA Administrator and affected States as required under ~~subsection~~paragraph (f).

(III) On a quarterly basis or within five business days of receipt of an application demonstrating that the aggregate of a source's pending applications equals or exceeds the threshold level set in ~~S~~subparagraph (e)5.(ii)(I)II., whichever is earlier, the Director promptly shall comply with subparagraphs (f)(1) and (f)(2). The Director shall send any notice required under subparagraph (f)(2)(ii) to the EPA Administrator.

(IV) The provisions of ~~Part~~subparagraph (e)5.(i)(IV) shall apply to modifications eligible for group processing, except that the Director shall take one of the actions specified in ~~S~~subparagraphs (e)5.(i)(IV)I through IV. within 180 days of receipt of the application or 15 days after the end of the EPA Administrator's 45-day review period under subparagraph (f)(3), whichever is later.

(V) The provisions of ~~Part~~subparagraph 5.(i)(V) shall apply to modifications eligible for group processing.

(VI) The provisions of ~~Part~~subparagraph 5.(i)(VI) shall also apply to modifications eligible for group processing.

(iii) Significant modification procedures.

(I) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. At a minimum, every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude the permittee from making changes consistent with this ~~section~~paragraph (10) that would render existing permit compliance terms and conditions irrelevant.

(II) Significant permit modifications shall meet all requirements of this ~~section~~paragraph (10), including those for applications, public participation, review by affected States, and review by EPA, as they apply to permit issuance and permit renewal.

6. Reopening for cause.

(i) A permit shall be reopened and revised under any of the following circumstances:

(I) Additional applicable requirements become applicable to a major Part 70 source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended under subparagraph (e)3.(iii).

(II) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(III) The Director determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(IV) The Director determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(ii) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists.

(i) Reopenings shall not be initiated before a notice of such intent is provided to the source by the Director at least 30 days in advance of the date that the permit is to be reopened, except that the Director may provide a shorter time period in the case of an emergency.

7. Reopenings for cause by EPA.

(i) If the EPA Administrator finds that cause exists to terminate, modify or revoke and reissue a permit pursuant to ~~subP~~paragraph 6. and notifies the Director of such finding in writing, the Director shall, within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the

EPA Administrator finds that a new or revised permit application is necessary or that the Director must require the permittee to submit additional information and extends this 90 day period, the Director shall forward the subject determination within 180 days of receipt of EPA's notification.

(ii) Within 90 days from receipt of an EPA objection, the Director shall resolve such objection and terminate, modify, or revoke and reissue the permit in accordance with EPA's objection.

8. Public participation.

40 CFR Part 70.7(h) is hereby incorporated and adopted by reference.

(f) Permit review by EPA and affected states.

1. The Director shall provide the EPA Administrator a copy of each permit application (including any application for permit modification), each proposed permit, and each final Part 70 permit. The Director may require the applicant to provide a copy of the permit application (including the compliance plan) directly to the EPA Administrator. Upon approval by the EPA Administrator, the Director may submit to the EPA Administrator a permit application summary form and any relevant portion of the permit application and compliance plan, in place of the complete permit application and compliance plan.

2. Review by affected States.

(i) The Director shall give notice of each draft permit to any affected State on or before the time that the Director provides this notice to the public under subparagraph (e)8., except to the extent that subparagraphs (e)5.(i) or (e)5.(ii) require the timing of the notice to be different.

(ii) The Director, as part of the submittal of the proposed permit to the EPA Administrator [or as soon as possible after the submittal for minor permit procedures allowed under subparagraphs (e)5.(i) or (e)5.(ii)], shall notify the EPA Administrator and any affected State in writing of any refusal by the Director to accept all recommendations for the proposed permit that the affected State submitted during the public or affected State comment period. The notice shall include the Director's reasons for not accepting any such recommendation. The Director is not required to accept recommendations that are not based on applicable requirements or the requirements of this ~~section~~paragraph (10).

3. EPA objection.

(i) No permit for which an application must be transmitted to the EPA Administrator under subparagraph (f)1. shall be issued if the EPA Administrator objects to its issuance in writing within a timely manner pursuant to 40 CFR 70.8(c) and 40 CFR 70.8(d) which are hereby incorporated by reference.

(g) Insignificant Activities List

Unless otherwise required by the Director, the following air pollutant sources/activities must be listed, but need not be described in detail, in the Part 70 permit application. Exclusion of these emissions from detailed reporting does not exclude them from inclusion in any applicability determination. Additionally, this insignificant listing may not be used to avoid any applicable requirement (i.e. NESHAP, NSPS, etc.) as defined in 40 CFR Part 70.2, which is incorporated

by reference in ~~S~~subparagraph (a)4.

1. Mobile Sources.

(i) Cleaning and sweeping of streets and paved surfaces.

2. Combustion Equipment.

(i) Fire-fighting and similar safety equipment used to train fire fighters or other emergency personnel.

(ii) Small incinerators that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act and are not considered a “designated facility” as specified in 40 CFR 60.32e of the Federal emissions guidelines for Hospital/Medical/ Infectious Waste Incinerators, that are operating as follows:

(I) Less than 8 million BTUs per hour heat input, firing types 0, 1, 2 and/or 3 waste; or

(II) Less than 8 million BTUs per hour heat input with no more than 10% pathological (Type-4) waste by weight combined with types 0, 1, 2 and/or 3 waste; or

(III) Less than 4 million BTUs per hour heat input firing Type 4 waste.

(IV) For the purpose of this subsection~~paragraph~~, the following definitions apply:

I. “Type 0 waste” means trash. This refers to a mixture of combustible waste such as paper, cardboard, wood and floor sweepings; which contains up to 10% petrochemical waste, 5% non-combustibles and 10% moisture, by weight; which is generated from commercial activities; and having a higher heat value (HHV) of approximately 8,500 BTU/lb.

II. “Type 1 waste” means rubbish. This refers to a mixture of combustible waste such as paper, cardboard, wood foliage and floor sweepings; which contains up to 10% petrochemical waste, 5% non-combustibles and 10% moisture, by weight; which is generated from domestic and commercial activities; and having a HHV of approximately 6,500 BTU/lb.

III. “Type 2 waste” means refuse. This refers to an evenly distributed mixture of rubbish and garbage as usually received in municipal waste; which contains up to 50% moisture content, by weight and 7% non-combustible solids; and having a HHV of approximately 4,300 BTU/lb.

IV. “Type 3 waste” means garbage. This refers to animal and vegetable wastes from restaurants, cafeterias, hotels, markets, and like installations; which contains up to 70% moisture, by weight, and 5% non-combustible solids; and having a HHV of approximately 2,500 BTU/lb.

V. “Type 4 waste” means human and animal remains. This refers to carcasses, organs, and solid organic wastes from hospitals, laboratories, abattoirs, animal pounds; and having a HHV of approximately 1,000 BTU/lb.

(iii) Open burning in compliance with Georgia Rule 391-3-1-.02(5).

(iv) Stationary Engines Burning:

(I) Natural gas, gasoline, diesel fuel, or dual fuels which are used exclusively as emergency generators; or

(II) Natural gas, LPG, and/or diesel fuel and used for peaking power (including emergency generators used for peaking power) where the peaking power use does not exceed 200 hours-per-year, except 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 where such engines with a rated capacity equal to and greater than 100 kilowatts are not insignificant activities; or

(III) Natural gas, LPG, and/or diesel fuel used for other purposes, provided that the output of each engine does not exceed 400 horsepower and that no individual engine operates for more than one thousand hours-per-year; or

(IV) Gasoline used for other purposes, provided that the output of each engine does not exceed 100 horsepower and that no individual engine operates for more than 500 hours-per-year except 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 where such engines with a rated capacity equal to and greater than 100 kilowatts used for peaking power are not insignificant activities.

(V) For the purpose of this subsection paragraph, the following definitions shall apply:

I. An “emergency generator” means a generator whose function is to provide back-up power when electric power from the local utility is interrupted and which operates for less than 500 hours-per-year, except 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 where such generator operates less than 200 hours-per-year.

II. “Used for peaking power” means used to reduce the electrical power requirements on the local utility grid. This could be for supplying power during the local utility’s peak demand periods or for peak shaving by the facility.

3. Trade Operations.

(i) Brazing, soldering and welding equipment, and cutting torches related manufacturing and construction activities whose emissions of hazardous air pollutants (HAPs) fall below 1,000 pounds per year.

4. Maintenance, Cleaning, and Housekeeping.

(i) Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system (or collector) serving them exclusively.

- (ii) Portable blast-cleaning equipment.
- (iii) Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.
- (iv) Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.
- (v) Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.
- (vi) Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners.
- (vii) Cleaning Operations: Alkaline/phosphate cleaners and associated cleaners and burners.

5. Laboratories and Testing.

- (i) Laboratory fume hoods and vents associated with bench-scale laboratory equipment used for physical or chemical analysis.
- (ii) Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are not individually major and are not support facilities making significant contributions to the product of a collocated major manufacturing facility.

6. Pollution Control.

- (i) Sanitary wastewater collection and treatment systems, except incineration equipment or equipment subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.
- (ii) On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.
- (iii) Bioremediation operations units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.
- (iv) Landfills that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

7. Industrial Operations.

- (i) Concrete block and brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year.
- (ii) Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate fuel oil at a maximum total heat input rate of not more than five million BTUs per hour:

- (I) Furnaces for heat treating glass or metals, the use of which do not involve molten materials or oil-coated parts.
- (II) Porcelain enameling furnaces or porcelain enameling drying ovens.
- (III) Kilns for firing ceramic ware.
- (IV) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.
- (V) Bakery ovens and confection cookers.
- (VI) Feed mill or grain mill ovens.
- (VII) Surface coating drying ovens.
- (iii) Carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, shot blasting, shot peening, or polishing; ceramics, glass, leather, metals, plastics, rubber, concrete, paper stock or wood, also including roll grinding and ground wood pulping stone sharpening, provided that:
 - (I) The activity is performed indoors; and
 - (II) No significant fugitive particulate emissions enter the environment; and
 - (III) No visible emissions enter the outdoor atmosphere.
- (iv) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy (e.g., blueprint activity, photographic developing and microfiche).
- (v) Grain, food, or mineral extrusion processes.
- (vi) Equipment used exclusively for sintering of glass or metals, but not including equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds.
- (vii) Equipment for the mining and screening of uncrushed native sand and gravel.
- (viii) Ozonization process or process equipment.
- (ix) Electrostatic powder coating booths with an appropriately designed and operated particulate control system.
- (x) Activities involving the application of hot melt adhesives where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.
- (xi) Equipment used exclusively for mixing and blending water-based adhesives and coatings at ambient temperatures.

(xii) Equipment used for compression, molding and injection of plastics where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.

(xiii) Ultraviolet curing processes where VOC emissions are less than five tons per year and HAP emissions are less than 1,000 pounds per year.

8. Storage Tanks and Equipment.

(i) All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored.

(ii) All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iii) All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.

(iv) All pressurized vessels designed to operate in excess of 30 psig storing petroleum fuels that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(v) Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(vi) Portable drums, barrels, and totes provided that the volume of each container does not exceed 550 gallons.

(vii) All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury (0.19 psia).

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