



Georgia Industry Environmental Coalition

June 13, 2005

Mr. Jimmy Johnston, P.E.
Planning and Support Program Manager
Air Protection Branch
Georgia Environmental Protection Division
4244 International Parkway, Suite 120
Atlanta, Georgia 30354

**SUBJECT: Comments on Georgia EPD's Proposed Rule
New Source Review Reform
Technical Stakeholder Workshop #6 – May 4, 2005**

Dear Mr. Johnston:

The Georgia Industry Environmental Coalition, Inc.¹ (GIEC) appreciates the opportunity to participate in the stakeholder process for development of New Source Review (NSR) rule reform in Georgia. This letter is in response to the Georgia Environmental Protection Division's (EPD's) request for comments made during the sixth stakeholder workshop held on May 4, 2005. Comments herein are general and not all inclusive as GIEC plans to submit more thorough comments during the formal public comment period. GIEC acknowledges the time and effort devoted by EPD to listening to stakeholders and responding to concerns as EPD drafted the NSR rules. Your consideration of stakeholder comments shared during the process remains important to our membership.

It is also important to our membership that EPD adopts the federal rules as they were promulgated by the U.S. Environmental Protection Agency in order to realize the full benefits of reform in Georgia. Any deviation from the federal rules should be justified on the basis of specific and unique air quality needs of Georgia.

GIEC believes, in general, that these rules will move Georgia toward a cleaner environment and a healthier, competitive business climate in the years ahead. For example, encouragement of voluntary installations of pollution control equipment by providing an exemption from the construction permit requirements in the proposed paragraph 391-3-1-.03(6)(i) will encourage economic growth while reducing emissions.

Regarding the specific language proposed by EPD, GIEC offers the following suggestions for further improvement of the proposed rules. While the use of language

¹ Formed in 1992, GIEC is a not-for-profit organization of Georgia industries whose member companies are subject to environmental regulations in Georgia. GIEC's mission is to serve as a technically-based advocate for Georgia industry by promoting environmental regulations and policies founded on protection of human health and the environment; sound science; and cost/benefit principles.

Many of our member companies represent the largest employers in the State and collectively represent an employee-base that exceeds 55,000 and include: Alcan Aluminum Corporation; Arizona Chemical Company; AGL Resources; Colonial Terminals, Inc.; DSM Chemicals North America, Inc.; Engelhard Corporation; General Electric Company; General Motors; Georgia-Pacific Corporation; Georgia Power Company; Gold Kist Inc.; International Paper; Kerr-McGee Pigments, Inc.; Lockheed Martin Aeronautics Company; Merck & Company, Inc.; Mohawk Industries; Norfolk Southern Corporation; The NutraSweet Company; Omnova Solutions, Inc.; Pfizer; Southern Aluminum Finishing Company; Southwire; Weyerhaeuser Company; and The William L. Bonnell Co., Inc.

from federal rule preamble is logical in reaching consensus on divergent positions, there are several points where further clarification could be helpful.

- In the definition of baseline actual emissions, 391-3-1-.02(7)(a)2(i), additional language is needed to clarify when PSD (Prevention of Significant Deterioration) avoidance limits are added to a permit but the actual emissions have not been reduced, due to a substantial margin of compliance with the permit limitation. For example, a reduction in the potential-to-emit should not force a reduction in the baseline actual emissions.
- An informative note should be added regarding future rule changes as the regional haze program (VISTAS work) is incorporated by Georgia. The note should directly address how these changes would or would not affect an adjustment of the baseline emissions, since this work has not been completed.
- It is not clear how new applicable requirements for some pollutants lacking ambient standards, like TRS (total reduced sulfur), might be addressed for adjustment of the baseline. GIEC believes clarification should be added to state that the baseline should not be adjusted for a new requirement involving a pollutant without an ambient air quality standard.
- In the definition of a replacement unit, basic design parameters, 391-3-1-.02(7)(a)2(ix)(V), there is no rate specified for the "maximum value achieved by the process unit in the five-year period...". GIEC suggests the appropriate rate should be the maximum hourly rate achieved by the unit.

We appreciate EPD bringing the proposed NSR rules to the Board of Natural Resources for consideration in June. This schedule should allow for adequate time to finalize and implement the rules in a manner that is best for Georgia.

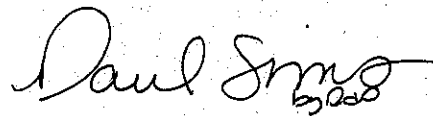
These rules have very important implications for our member companies and future business opportunities in Georgia. Thank you, again, for your consideration and the opportunity to participate in the process and comment on EPD's proposed rule.

Sincerely,

GEORGIA INDUSTRY ENVIRONMENTAL COALITION, INC.



Mark D. Johnson
Board Member



Paul Sims, P.E.
Vice Chairman

cc: GIEC General Membership