

**GEORGIA EPD PRELIMINARY  
POSITION OUTLINE**

**NSR REFORM  
12/31/2002 FEDERAL RULES**

**FEBRUARY 2005**

**Applicability and Baseline Actual Emissions**

<b>Applicability for Modifications</b>			
<b>Provision</b>	<b>Pre-12/31/2002 Federal Rule</b>	<b>12/31/2002 Federal Rule</b>	<b>EPD Preliminary Position Outline</b>
Applicability Test – Utilities	Past Actual to Future Actual	Baseline Actual to Projected Actual (52.21(b)(48)(i))	Consistent with 12/31/2002 Federal Rule
Applicability Test – Non-Utilities	Past Actual to Future Potential	Baseline Actual to Projected Actual (52.21(b)(48)(ii))	Consistent with 12/31/2002 Federal Rule
Increase from Modifications of a Clean Unit	n/a	Not included in applicability determination as long as Clean Unit Status is not lost. (51.21(a)(2)(e))	Consistent with 12/31/2002 Federal Rule
<b>Baseline Actual Emissions</b>			
Baseline period – Non-Utilities	24-month period prior to change. PA may allow a different 24-month period in past 5 years if past 24-month period not representative.	Any 24-Month Period in Past 10 Years (52.21(b)(48)(ii))	Consistent with 12/31/2002 Federal Rule with Additional Requirement: Emissions Units must have had same basic design and operational characteristics during baseline period as at time of application.
Baseline period – Utilities	24-month period prior to change. PA may allow a different 24-month period in past 5 years if past 24-month period not representative.	24-month period within past 5 years. PA may allow different 24-month period if more representative of normal operation. (52.21(b)(48)(i))	Consistent with 12/31/2002 Federal Rule with Additional Requirement: Emissions Units must have had same basic design and operational characteristics during baseline period as at time of application.

Applicability and Baseline Actual Emissions

Calculation of Baseline Emissions – Non-Utilities	n/a	Include Quantifiable Fugitive and SSM Emissions (52.21 (b) (48) (ii) (a))	-Both baseline and projected actual fugitive emissions must be quantifiable, if not do not include in either. -Source may choose to omit SSM or M from both baseline and projected actual emissions. -If change in SSM not proportional to change in capacity, reason for change in SSM frequency/magnitude must be documented with application and demonstrated after change.
	n/a	Reduce baseline emissions to exclude non-compliant emissions (52.21 (b) (48) (ii) (b))	Consistent with 12/31/2002 Federal Rule
	n/a	Reduce baseline emissions by reductions required by new applicable requirements, except for MACT standards (52.21 (b) (48) (ii) (c))	Consistent with 12/31/2002 Federal Rule
	n/a	Different baseline periods allowed for different pollutants (52.21 (b) (48) (ii) (d))	Consistent with 12/31/2002 Federal Rule
	n/a	Same baseline period for all emissions units in project (52.21 (b) (48) (ii) (d))	Consistent with 12/31/2002 Federal Rule
	n/a	Must have adequate date for selected Baseline Period (52.21 (b) (48) (ii) (e))	Consistent with 12/31/2002 Federal Rule

Applicability and Baseline Actual Emissions

Calculation of Baseline Emissions – Utilities	n/a	Same as for Non-Utilities except reduction for new applicable requirements not required. (52.21 (b)(48)(i)(a)-(d))	Same as for Non-Utilities
New Emissions Units (i.e., less than 2 years of operation)	n/a	For pre-construction applicability test, baseline emissions = 0; for all other purposes, baseline emissions = PTE. (52.21 (b)(48)(iii))	Consistent with 12/31/2002 Federal Rule
<b>Projected Actual Emissions</b>			
Projection Period – Non-Utilities	n/a	5 years following modification (10 years if increase in capacity or PTE) (52.21 (b)(41)(i))	Consistent with 12/31/2002 Federal Rule
Projection Period – Utilities	5 years following modification (longer period, up to 10 years, may be required by PB if determine dto be more representative of normal post-change operations)	5 years following modification (10 years if increase in capacity or PTE) (52.21 (b)(41)(i))	Consistent with 12/31/2002 Federal Rule
Calculation of Projected Actual Emissions	n/a	Consider all relevant information (52.21 (b)(41)(ii)(a))	Consistent with 12/31/2002 Federal Rule
	n/a	Include quantifiable fugitive and SSM emissions (52.21 (b)(41)(ii)(b))	Same as specified in “Calculation of Baseline Emissions,” above
	n/a	Source may use PTE (avoids much recordkeeping & reporting) (52.21 (b)(41)(ii)(d))	Consistent with 12/31/2002 Federal Rule

Applicability and Baseline Actual Emissions

<p><b>Demand Growth Exclusion</b></p>	<p><b>Non-Utilities – n/a</b>  <b>Utilities – Exclude emissions increase due to “Demand Growth”</b></p>	<p><b>Exclude emissions increase due to demand growth (52.21 (b) (41) (ii) (c))</b></p>	<p><b>If no increase in capacity: Consistent with 12/31/2002 Federal Rule</b>  <b>If increase in capacity, source may:</b>  <b>a. not exclude demand growth; or</b>  <b>b. must be able to document that excluded demand growth emissions are emissions that could have and would have occurred if change had not taken place, must be based on same operating mode (e.g., fuel/raw material mix) as baseline, is not caused by this physical or operational change, must have documentation supporting the portion of increase due to demand growth and not related to project, must be able to track emissions increase due to demand growth after change</b></p>
<p><b>Record Keeping and Reporting</b></p>			
<p><b>When Required</b></p>	<p>n/a</p>	<p><b>When there is as “reasonable possibility” that project may result in a significant increase. (52.21 (r) (6) – opening paragraph)</b></p>	<p><b>When SIP permit (391-3-1-.03(1) &amp; (2)) required. SIP permit exemptions listed in 391-3-1-.03(6).</b></p>

Applicability and Baseline Actual Emissions

Required Records	n/a	Description of project Identification of emission units Applicability Test Information (52.21(r)(6)(i))	Consistent with 12/31/2002 Federal Rule
Record Retention	n/a	Maintain records of actual emissions for 5 years after change (10 years if increase in capacity or PTE). (52.21)(r)(6)(iii)	-Maintain records of baseline emissions for 10 years past change (15 years if increase in capacity or PTE). -Maintain records of actual emission for 5 years past year of record.
Reporting	n/a	Utilities – report applicability determination prior to beginning construction; report actual emissions annually (52.21(r)(6)(ii) & (iv)) Non-Utilities – report annual emissions if actual emission exceed baseline emissions by significant amount (52.21)(r)(6)(v))	Utilities & Non-Utilities – -Report applicability determination with SIP application -Report actual emissions annually -If emissions from demand growth excluded in projected actual emissions then report portion of increase that resulted solely from demand growth annually
<b>Netting</b>			
Modification is Major based on:	Significant Net Increase (although EPA policy and current practice is same as 12/31/2002 rule)	Significant Increase from Project AND Significant Net Increase (52.21(a)(2)(iv)(a))	Consistent with 12/31/2002 Federal Rule

**Clean Unit Provisions**

<b>Provisions Common to 52.21(x) "Clean Unit Test for emissions units that area subject to BACT or LAER" and 52.21(y) "Clean Unit provisions for emissions units that achieve an emission limitation comparable to BACT"</b>		
<b>Provision</b>	<b>12/31/2002 Federal Rule</b>	<b>EPD Preliminary Position Outline</b>
General Provisions	Projects at Clean Units and Retaining Clean Unit Status (52.21(x)(2)(i)-(ii) & 52.21(y)(2)(i)-(ii))	Consistent with 12/31/2002 Federal Rule
Loss of Clean Unit Status	If project changes emission limit or work practice requirement, or if project changes physical or operational characteristics that formed the basis for BACT (52.21(x)(2)(iii)-(iv) & 52.21(y)(2)(iii)-(iv))	Consistent with 12/31/2002 Federal Rule
Pollutants	Each Clean Unit designation is pollutant specific (52.21(x)(3) & 52.21(y)(3))	Consistent with 12/31/2002 Federal Rule
Qualifying Pollution Control Technology – Investment Requirement	BACT must require use of control technology (may include pollution prevention or work practices) that required an investment. (52.21(x)(3)(ii)(b) & 52.21(y)(3)(i)(b))	Consistent with 12/31/2002 Federal Rule
Length of Clean Unit Status	10 years (52.21(x)(5) & 52.21(y)(6))	Consistent with 12/31/2002 Federal Rule
Permitting Requirements	Specified in rule (52.21(x)(6) and 52.21(y)(8))	Consistent with 12/31/2002 Federal Rule
Maintaining Clean Unit Status	Specified in rule (52.21(x)(7) and 52.21(y)(9))	Consistent with 12/31/2002 Federal Rule
Netting and Offsets	Emissions decreases at Clean Units cannot be used for netting or offsets unless emissions reduced below level that qualified the unit as a Clean Unit (52.21(x)(8) and 52.21(y)(9))	Consistent with 12/31/2002 Federal Rule
Effect of Redesignation of an are from Attainment to Nonattainment	Clean Unit Status not Affected (52.21(x)(9) & 52.21(y)(11))	Consistent with 12/31/2002 Federal Rule

Clean Unit Provisions

<b>52.21(x) "Clean Unit Test for emissions units that area subject to BACT or LAER"</b>		
Applicability & Eligibility	Emissions units that have gone through NSR within Past 10 years (52.21 (x)(1) & 52.21(x)(3)(i))	Consistent with 12/31/2002 Federal Rule
Qualifying Air Pollution Control Technology – NSR Permit Requirement	NSR permit within past 10 years that required BACT or LAER unless BACT was no controls beyond "standard, uncontrolled, new emission unit of the same type."	Consistent with 12/31/2002 Federal Rule
Re-qualifying for Clean Unit Designation	Obtain new major NSR permit that requires compliance with current BACT (52.21 (x)(3)(iii))	Consistent with 12/31/2002 Federal Rule
Effective Date of Clean Unit Status	Original designation and re-qualifying by installing new controls - Date control technology placed into service or 3 years after permit issuance, whichever is sooner (52.21 (x)(4)(i)) Re-qualifying using existing controls – Date new major NSR permit issued (52.21 (x)(4)(ii))	Consistent with 12/31/2002 Federal Rule
<b>52.21(y) "Clean Unit provisions for emissions units that achieve an emission limitation comparable to BACT"</b>		
Qualifying Air Pollution Control Technology-Comparable to BACT Requirement	Demonstrate that emission unit's control technology is comparable to BACT (52.21 (y)(3)(i)(a))	Consistent with 12/31/2002 Federal Rule
Air Quality Analysis	Must demonstrate that it does not violate NAAQS or Increment or adversely impact Class I AQRV (52.21 (y)(3)(ii))	Consistent with 12/31/2002 Federal Rule
Timing of Clean Unit Application	Existing Controls – apply within 2 years of effective date of GA rule change (51.166(u)(3)(iii)) New Controls – apply with construction permit (51.166(u)(3)(iii) & 52.21 (y)(7))	Consistent with 12/31/2002 Federal Rule

Clean Unit Provisions

<p>Re-qualifying for Clean Unit Status</p>	<p>Demonstrate that emissions unit's control technology is comparable to current-day BACT and conduct air quality analysis (52.21 (y) (3) (iv))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
<p>Demonstrating control effectiveness comparable to BACT</p>	<p>Emission Limitation is equal to or better than average of all BACT or LAER determinations within past 5 years as entered into RBLC (52.21 (y) (4) (i)) OR Demonstrate that control technology is "substantially effective as BACT" (52.21 (y) (4) (ii))  Time of comparison: Existing Controls: compare with BACT at time of installation or current-day BACT (52.21 (y) (4) (iii) (a)) New Controls: compare with current-day BACT (52.21 (y) (4) (iii) (b))</p>	<p>-Compare emission limitation with RBLC as with 12/31/2002 Rule -If insufficient data in RBLC to make a valid comparison, conduct top-down BACT analysis to determine current-day BACT  Timing of comparison: Consistent with 12/31/2002 Federal Rule</p>
<p>Effective Date of Clean Unit Status</p>	<p>Date permit is issued or control technology placed into service, whichever is later (52.21 (y) (5))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
<p>Procedures for designating Clean Unit Status</p>	<p>Permitting program that has been approved by EPA and that conforms with 51.160 through 51.164 (52.21 (y) (7))</p>	<p>Title V initial permit issuance, Title V renewal, or Title V significant modification</p>

**Pollution Control Projects**

<b>Definition of Pollution Control Project (52.21 (b)(32))</b>		
<b>Provision</b>	<b>12/31/2002 Federal Rule</b>	<b>EPD Preliminary Position Outline</b>
Eligibility	Primary purpose test not included	Consistent with 12/31/2002 Federal Rule
Definition of PCP (52.21 (b)(32))	Replacement or reconstruction of existing emission unit does not qualify as PCP specified - in preamble, but not in rule (67 FR 80232)	Add to definition in rule
	Permitting agency has authority to rebut environmentally beneficial presumption of listed projects – in preamble, but not in rule (67 FR 80234-5)	Add to definition in rule, specify that the Division has authority to rebut presumption if the project is to be improperly applied or if site-specific parameters indicate that the project would not be environmentally beneficial
Changes to List of Presumptive Projects (52.21 (b)(32)(i) – (vi))	...low-NOx burners or combustors, ... (52.21 (b)(32)(iii))	add “except those that increase the fuel burning capacity of the emissions unit by more than 2% or 2.0 MMBtu/hr, whichever is less”
	Regenerative thermal oxidizers, catalytic oxidizers, ...thermal incinerators,.... (52.21 (b)(32)(iv))	Add provision that RTO’s, catalytic oxidizers, or thermal incinerators that control gases with sulfur bearing compounds and result in a significant increase in SO2 or H2SO4 must be equipped with a control device with at least 90% control efficiency for sulfur bearing compounds

Pollution Control Projects

<p>Changes to List of Presumptive Projects (52.21(b)(32)(i) – (vi)) (continued)</p>	<p>Switching from a heavier grade of fuel oil to a lighter fuel oil, or any grade of oil to 0.05 percent sulfur diesel... (52.21(b)(32)(v)(a))</p>	<p>Specify that switch can be from any grade of fuel oil to 0.05% sulfur or lower as long as switch is from higher sulfur oil to lower sulfur</p>
	<p>Switching from the use of one ozone depleting substance (ODS) to a substance with a lower or zero ozone depleting potential (52.21(b)(32)(vi))</p>	<p>cannot involve switching from a non-VOC ODS to a VOC substance</p>
	<p>Remainder of list</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
	<p>Add Following to List:                  (vii) The combustion of total reduced sulfur compounds or hazardous air pollutants in a lime kiln or recovery furnace.                  (viii) The combustion of volatile organic compounds or hazardous air pollutants in a boiler or process heater provided that such project does not result in a significant increase in sulfur dioxide or sulfuric acid mist</p>	

Pollution Control Projects

<b>PCP exclusion procedural requirements (52.21(z))</b>		
<p><b>Notice or Permit Requirement</b></p>	<p>Submit notice if listed project, submit permit application if not listed project (52.21(z)(1))</p>	<p>For sources with a Title V permit: Listed projects – submit application for minor mod Non-listed projects – submit application for significant mod</p> <p>For sources without a Title V permit: Listed projects - submit application for operation Non-listed projects – submit application for construction and operation</p> <p>(see later for change in SIP construction permitting requirements for listed projects)</p>
<p><b>Environmentally Beneficial Analysis</b></p>	<p>Benefit from emissions reduction must outweigh environmental detriment of emissions, statement that project is listed is presumed to satisfy requirement (52.21(z)(2)(i))</p>	<p>-Specify that factors to be considered <u>may include, but are not limited to:</u> relative emission levels of pollutants, relative increases &amp; decreases, predicted ambient levels, ambient air quality standards &amp; guidelines, and toxicity -Specify that Division has authority to rebut environmentally beneficial presumption of listed projects</p>

Pollution Control Projects

Air Quality Analysis	Must demonstrate that emissions increase will not cause or contribute to violation of NAAQS or increment or adversely impact a Class I AQRV (52.21(z)(2)(ii))	Consistent with 12/31/2002 Federal Rule
Content of Notice or Permit Application	Description of project (52.21(z)(3)(i))	Consistent with 12/31/2002 Federal Rule
	Potential emissions increases & decreases, projected emissions increases & decreases, copy of environmental beneficial analysis (52.21(z)(3)(ii))	Consistent with 12/31/2002 Federal Rule
	Description of monitoring & recordkeeping, and all other methods used on ongoing basis to demonstrate that projects are environmentally beneficial (52.21(z)(3)(iii))	Consistent with 12/31/2002 Federal Rule
	Certification that project will be designed and operated in a manner consistent with proper industry and engineering practices, consistent with environmentally beneficial analysis, and with air quality analysis and in such a way to minimize emissions of collateral pollutants (52.21(z)(3)(iv))	Consistent with 12/31/2002 Federal Rule

Pollution Control Projects

	<p>Demonstrate that PCP will not have an adverse air quality impact (52.21(z)(3)(v))</p>	<p>-Specify that the applicant must demonstrate that the project will not cause or contribute to a violation of the NAAQS, increment, or adversely affect a Class I AQRV -Specify that the Division may approve use of screening model or air quality modeling already on record -Specify that the Division may require an air quality demonstration that meets the requirements of 52.21(k) – (p)</p>
	<p>Add the following: (vi) A requirement that the applicant must demonstrate that the project is environmentally beneficial. A statement that the project is listed presumably satisfies this requirement though the Division has authority to rebut such presumption. For projects not listed, the environmentally beneficial analysis shall address the factors listed in 52.21(z)(2)(i) (Preliminary Position Outline version) plus any additional information determined by the applicant. The Division may request additional information regarding such factors. (vii) Any additional information as required by the Division</p>	

Pollution Control Projects

<p>Notice Process for Listed Projects</p>	<p>May begin construction immediately after notice is submitted. Owner/operator shall respond to any requests for additional information from PA. (52.21(z)(4))</p>	<p>For sources with Title V Permit: -May begin construction and operation upon receipt of acknowledgement of minor modification application from the Division.</p> <p>For sources without Title V Permit: -May begin construction upon submission of application for operation. -May not operate until operating permit issued</p>
<p>Permit Process for Non-Listed Project</p>	<p>Project must be approved by a SIP approved permit or Title V permit using procedures consistent with 51.160 &amp; 51.161 before source may begin construction (52.21(z)(5))</p>	<p>For sources with Title V permit: -Must be approved through Title V significant mod permit amendment</p> <p>For sources without Title V permit: -Must be approved through SIP permit. -Include specific requirements instead of referring to 51.160 &amp; 51.161</p>
<p>Operational Requirements – General Duty</p>	<p>Operate PCP in manner consistent with proper industry engineering practices, with environmentally beneficial analysis and air quality analysis, and with permit application and in such a way to minimize emissions of collateral pollutants (52.21(z)(6)(i))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>

Pollution Control Projects

Operational Requirements – Recordkeeping	Maintain copies of environmentally beneficial analysis, air quality analysis, and monitoring & recordkeeping to prove compliance with general duty requirements (52.21(z)(6)(ii))	Consistent with 12/31/2002 Federal Rule
Operational Requirements – Permit requirements	Comply with SIP or Title V permit (52.21(z)(6)(iii))	Consistent with 12/31/2002 Federal Rule
Operational Requirements – Generation of emission reduction credits and netting	Not allowed unless emissions reduced below level of reduction used to qualify for PCP. (52.21(z)(6)(iv))	Consistent with 12/31/2002 Federal Rule
<b>Georgia SIP Permitting Requirements</b>		
Permit Exemptions (391-3-1-.03(6))	<ul style="list-style-type: none"> <li>-Add provision that listed projects (including changes &amp; additions to list specified above in EPD Preliminary Position Outline version) are exempt from the requirement to obtain a construction permit as per 391-3-1-.03(1).</li> <li>-Must still obtain a SIP permit to operate under 391-3-1-.03(2) (for non-Title V sources) or a Title V permit or amendment under 391-3-1-.03(10) (for Title V sources).</li> <li>-Construction prior to receiving operating permit is done so at owner/operator's risk.</li> </ul>	

**Plant-Wide Applicability Limits (PALs)**

Provision	12/31/2002 Rule	EPD Preliminary Position Outline
<b>Applicability</b> (52.21 (aa)(1))	General Requirement (52.21 (aa)(1)(i))	Consistent with 12/31/2002 Federal Rule
	Modification at a PAL source that does not exceed PAL limit is not a major modification & not subject to NSR (52.21 (aa)(1)(ii)(a)&(b))	Consistent with 12/31/2002 Federal Rule
	May relax existing NSR avoidance limits (52.21 (aa)(1)(ii)(c))	Consistent with 12/31/2002 Federal Rule
	Must continue to comply with all existing applicable requirements & emission limits (52.21 (aa)(1)(iii))	Consistent with 12/31/2002 Federal Rule
	Additional Requirement: New significant and major units must install BACT at time of installation	
<b>Definitions</b> (52.21 (aa)(2))	Pal Effective Period – beginning with PAL effective date and ending 10 years later (52.21 (aa)(vii))	Consistent with 12/31/2002 Federal Rule
	Additional Definitions: “PAL Baseline Period” – 10 calendar years prior to application (See Preliminary Position Outline section on Baseline Actual Emissions for further details.) “PAL Baseline Emissions” – would incorporate or reference provisions for including SSM emissions, adjustments for noncompliant periods, periods of inadequate information, existing emissions units not in baseline, and new units as specified in definition of “Baseline Actual Emissions” (52.21 (b)(48)). Option: Instead of adding definitions, make sure they are included elsewhere in 52.21 (aa).	
	All other definitions: Actual PAL, Allowable emissions, Small emissions unit, Major emissions unit, PAL, PAL effective date, PAL major modification, PAL permit, PAL pollutant, Significant emissions unit (52.21 (aa)(1)(i)-(vi), (viii)-(xi))	Consistent with 12/31/2002 Federal Rule

Plant-Wide Applicability Limits

Permit Application Requirements (52.21 (aa)(3))	List of emission units & their designation as major, significant, or small, indication of existing & future applicable requirements. baseline actual emissions calculation (52.21 (aa)(3)(i))	Consistent with 12/31/2002 Federal Rule
	Calculation of baseline actual emissions, baseline emissions to include emissions associated with SSM (52.21 (aa)(3)(ii))	Add provisions for SSM from definition of "Baseline Actual Emissions" (52.21 (b)(48)) or refer to definition of "PAL Baseline Emissions," if included.
	Procedures to convert monitoring data to annual emissions (52.21 (aa)(3)(iii))	Consistent with 12/31/2002 Federal Rule
	Additional requirement: (vi) Any other information required by the Division.	
Establishing PAL (52.21 (aa)(4))	Annual (12-consecutive month) limit in tons/yr, special provisions for first 11 months, public participation, inclusion of fugitive emissions, pollutant specific, 10 year effective period (52.21 (aa)(4)(i))	Consistent with 12/31/2002 Federal Rule
	Emissions decreases while under PAL not creditable as offsets unless PAL limit is reduce and reductions would otherwise be creditable (52.21 (aa)(4)(ii))	Consistent with 12/31/2002 Federal Rule
Public participation requirements (52.21 (aa)(5))	Must meet procedures consistent with 51.160 & 51.161. (52.21 (aa)(5))	Change to refer to GA public participation requirements for Title V permits, renewals, & significant modifications
Setting PAL level (52.21 (aa)(6))	PAL limit = Baseline + PSD significance level (52.21 (aa)(6)(i))	Consistent with 12/31/2002 Federal Rule
	Different baselines for different pollutants (52.21 (aa)(6)(i))	Consistent with 12/31/2002 Federal Rule
	Same baseline for all emissions units (52.21 (aa)(6)(i))	Consistent with 12/31/2002 Federal Rule

Plant-Wide Applicability Limits

	Emissions from units shut down after baseline period subtracted from PAL limit (52.21 (aa) (6) (i))	Consistent with 12/31/2002 Federal Rule
	Non compliant emissions subtracted from PAL limit (67 FR 80209)	Add to paragraph (i)
	Emissions from units added after baseline period added at PTE level (52.21 (aa) (6) (i))	-Existing emission units (> 2 yrs old) added after baseline period included in PAL level based upon a 2-yr period subsequent to the baseline period -New emission units (<2 yrs old) added at PTE
	PAL adjusted downward when new applicable requirements apply (52.21 (aa) (6) (i))	Consistent with 12/31/2002 Federal Rule
Content of PAL Permit (52.21 (aa) (7))	Emission from SSM must be included in annual emissions calculations (52.21 (aa) (7) (iv))	-If SSM emissions excluded from baseline calculations, may be excluded from annual emissions calculations -Specify that noncompliant emissions included in annual emissions calculations
	All other requirements: ton/yr limit, effective date, renewal, expiration, converting monitoring date to 12-month rolling emissions, monitoring, records retention, reporting, any other requirements the Director deems necessary to implement and enforce PAL 52.21 (aa) (7) (i)-(iii), (v)-(x)	Consistent with 12/31/2002 Federal Rule
Pal Effective Period (52.21 (aa) (8) (i))	PAL effective period of 10 years (52.21 (aa) (8) (i))	Consistent with 12/31/2002 Federal Rule

Plant-Wide Applicability Limits

Reopening a PAL permit (52.21 (aa)(8)(ii))	<p>EPD must reopen to:</p> <p>(1) Correct typographical/calculation errors made in setting PAL limit or reflect more accurate determination of PAL limit</p> <p>(2) Reduce PAL to create offsets</p> <p>(3) Revise PAL when PAL limit increased ruing PAL effective period</p> <p>(52.21 (aa)(8)(ii)(a))</p>	Consistent with 12/31/2002 Federal Rule
	<p>EPD has discretion to reopen to:</p> <p>(1)&amp;(2) Reduce PAL to reflect newly applicable requirements</p> <p>(3) Reduce PAL if necessary to avoid causing or contributing to NAAQS or increment violation or adversely impact Class I AQRV</p> <p>(52.21 (aa)(8)(ii)(b))</p>	Consistent with 12/31/2002 Federal Rule
	<p>Public participation to reopen PAL must meet provisions of 52.21 (aa)(5)</p> <p>(52.21 (aa)(8)(ii)(c))</p>	Consistent with 12/31/2002 Federal Rule, except 52.21 (aa)(5) reworded to comply with GA rules
Expiration of a PAL (52.21 (aa)(9))	<p>Permittee proposes how PAL limit will be distributed among emission units, adjust for applicable requirements if not already done</p> <p>(52.21 (aa)(9)(i)(a))</p>	Consistent with 12/31/2002 Federal Rule
	<p>Division determines how PAL limit will be distributed &amp; issue revised permit</p> <p>(52.21 (aa)(9)(i)(b))</p>	Consistent with 12/31/2002 Federal Rule
	<p>Each emissions unit shall comply with it's 12-month limit, Division may approve of use of monitoring system other than CEMS, CERMS, PEMS, or CPMS to demonstrate compliance</p> <p>(52.21 (aa)(9)(ii))</p>	Consistent with 12/31/2002 Federal Rule
	<p>Comply with PAL limit until new permit issued</p> <p>(52.21 (aa)(9)(iii))</p>	Consistent with 12/31/2002 Federal Rule
	<p>Source subject to normal NSR once PAL expires</p> <p>(52.21 (aa)(9)(iv))</p>	Consistent with 12/31/2002 Federal Rule

Plant-Wide Applicability Limits

	Source shall comply with any applicable requirements that have applied during or prior to PAL effective period, except for NSR avoidance limits eliminated when PAL established (52.21(aa)(9)(v))	Consistent with 12/31/2002 Federal Rule
PAL Renewal (52.21(aa)(10))	Renewed permit, including justification for PAL level, subject to public review (52.21(aa)(10)(i))	Consistent with 12/31/2002 Federal Rule
	Renewal application due 6-18 months prior to expiration, current PAL permit remains in EPD takes action on application (52.21(aa)(10)(ii))	Consistent with 12/31/2002 Federal Rule
	Application Requirements: same as initial plus proposed PAL level, PTE of all emissions units, any other information the applicant wishes EPD to consider (52.21(aa)(10)(iii))	Consistent with 12/31/2002 Federal Rule
	Adjusting PAL level: (a) If current baseline actual emissions $\geq$ 80% of current PAL limit, EPD may renew at same level without additional considerations (b) EPD may set PAL limit at different level based on: more representative or actual emissions, air quality needs, advances in control technology, anticipated economic growth in area, to reward or encourage voluntary emissions reductions, or other factors (c) New PAL level should not be $>$ PTE or current PAL level (52.21(aa)(10)(iv))	Option A - Renewed PAL level established using same procedures as initial PAL level (52.21(aa)(6))  Option B – If current baseline actual emissions $\geq$ 80% of current PAL limit, EPD may renew at same level without additional considerations, If $<$ 80%, renewed PAL level established using same procedures as initial PAL Level  Both Options - paragraphs (b) and (c) still apply Consistent with 12/31/2002 Federal Rule

Plant-Wide Applicability Limits

	Adjust PAL limit for new applicable requirements if not already done (52.21(aa)(10)(v))	Consistent with 12/31/2002 Federal Rule
Increasing a PAL (52.21(aa)(11))	(a) Applicant must identify emissions units contributing to increase that will exceed PAL limit (b) Applicant must demonstrate that total emissions from significant and major units at BACT limit + small units at actual + allowable on new or modified units exceeds current PAL limit, new BACT analysis on all significant & major emissions units unless BACT analysis < 10 yrs old (c) Obtain Major NSR permit for all emission units identified in (a) & install BACT on them (d) Increased PAL limit effective when any emissions unit identified in (a) becomes operational (52.21(aa)(11)(i))	Consistent with 12/31/2002 Federal Rule
	New PAL Limit = Allowable for New or Modified Unit + Baseline Actual assuming BACT on all significant & major units + Baseline Actual on all small units (52.21(aa)(11)(ii))	Consistent with 12/31/2002 Federal Rule
	Revised PAL permit subject to public notice (52.21(aa)(11)(iii))	Consistent with 12/31/2002 Federal Rule
Monitoring Requirements (52.21(aa)(12))	Must contain enforceable requirements for monitoring system that accurately determines emissions (52.21(aa)(12)(i)(a))	Consistent with 12/31/2002 Federal Rule
	Must employ monitoring set forth in 52.21(aa)(12)(ii) (52.21(aa)(12)(i)(b))	Consistent with 12/31/2002 Federal Rule
	Alternative monitoring allowed if approved by EPD (52.21(aa)(12)(i)(c))	Consistent with 12/31/2002 Federal Rule
	May consist of mass balance for coatings & solvents, CEMS, CPMS, PEMS, or emission factors (52.21(aa)(12)(ii))	-Add mass balance for SO2 from fuel combustion -Everything else - Consistent with 12/31/2002 Federal Rule

Plant-Wide Applicability Limits

	<p>Specific requirements for each monitoring method (52.21 (aa)(12)(iii)-(vi))</p>	<p>-Add procedures for mass balance for SO2 from fuel combustion -Everything else - Consistent with 12/31/2002 Federal Rule</p>
	<p>If monitoring data not available for a period, emissions = PTE unless an alternate monitoring method specified in PAL permit (52.21 (aa)(12)(vii))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
	<p>If correlation between monitored parameter and emission rate cannot be demonstrated at all operating points, (a) establish default value based on PTE or (b) operation of emission unit at those operation points is violation of PAL. (52.21 (aa)(12)(viii))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
	<p>Revalidate emission factors, PEMS, CPMS every 5 years (52.21 (aa)(12)(ix))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
<p>Recordkeeping Requirements (52.21 (aa)(13))</p>	<p>Keep all records necessary to determine compliance for 5 years from the date of record (52.21 (aa)(13)(i))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
	<p>Keep copy of PAL permit application &amp; applications for revisions plus each Title V annual certification &amp; data relied upon for certification for 5 years past end of effective period (52.21 (aa)(13)(ii))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>

Plant-Wide Applicability Limits

Reporting & Notification (52.21(aa)(14))	<p>Submit semi-annual report within 30 days after end of each reporting period, each report shall include:</p> <ul style="list-style-type: none"> <li>• identification of owner &amp; operator &amp; permit number</li> <li>• total emissions for each 12-month rolling period</li> <li>• all data, including QA or QC data, used in calculating monthly &amp; 12-month emissions</li> <li>• list of emission units modified or added</li> <li>• deviations &amp; monitor malfunctions and any corrective action taken</li> <li>• information on shutdown of monitoring systems</li> <li>• signed certification by responsible official</li> </ul> <p>(52.21(aa)(14)(i))</p>	<p>-Data used in calculating emissions not submitted but subject to submissions upon request by EPD                      -Everything else - Consistent with 12/31/2002 Federal Rule</p>
	<p>Submit Deviation report as required by Title V regulations, each report shall include</p> <ul style="list-style-type: none"> <li>• identification of owner &amp; operator &amp; permit number</li> <li>• any deviations or exceedances</li> <li>• periods when no monitoring is available</li> <li>• emissions from deviations and exceedances</li> <li>• signed certification by responsible official</li> </ul> <p>(52.21(aa)(14)(ii))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
	<p>Submit revalidation test results within 3 months after completion</p> <p>(52.21(aa)(14)(iii))</p>	<p>Consistent with 12/31/2002 Federal Rule</p>
Fees	None	EPD Considering Fees for PAL Permits to Offset Additional Agency Cost

**Miscellaneous Issues**

<b>Definitions</b>			
<b>Provision</b>	<b>Pre-12/31/2002 Federal Rule</b>	<b>12/31/2002 Federal Rule</b>	<b>EPD Preliminary Position Outline</b>
Major Stationary Source (52.21(b)(1)(i)(b))	“Notwithstanding the stationary source size specified in paragraph (b)(1)(i) of this section...”	Consistent with Pre-12/31/2002 Federal Rule	“Notwithstanding the stationary source size specified in paragraph (b)(1)(i)(a) of this section...”
Major Stationary Source (52.21(b)(1)(ii))	A major stationary source that is major for volatile organic compounds shall be considered major for ozone.	Consistent with Pre-12/31/2002 Federal Rule	Consistent with 12/31/2002 Federal Rule, except “...major for volatile organic compounds or oxides of nitrogen shall be considered major for ozone.”
Major Modification (52.21(b)(2)(ii))	Any net emissions increase that is significant for volatile organic compounds shall be considered major for ozone.	Any significant emissions increase (as defined in paragraph (b)(40) of this section) from any emissions units or net emissions increase (as defined in paragraph (b)(3) of this section) at a major stationary source that is significant for volatile organic compounds shall be considered significant for ozone.	Consistent with Pre-12/31/2002 Federal Rule, except “...that is significant for volatile organic compounds or oxides of nitrogen shall be considered significant for ozone.”
Significant (52.21(b)(23)(i))	...Ozone: 40 tpy of volatile organic compounds...	Consistent with Pre-12/31/2002 Federal Rule	...Ozone: 40 tpy of volatile organic compounds, or 40 tpy of oxides of nitrogen

Miscellaneous Issues

Potential to Emit (52.21(b)(4))	...Any physical or operational limitation on the capacity of a source to emit a pollutant... shall be treated as part of its design if the limitation or the effect of it would have on its emissions is federally enforceable...	Consistent with Pre-12/31/2002 Federal Rule	Consistent with 12/31/2002 Federal Rule, except "...is federally enforceable or enforceable as a practical matter..."
Allowable Emissions (52.21(b)(16))	...the emission rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:...	Consistent with Pre-12/31/2002 Federal Rule	Consistent with 12/31/2002 Federal Rule, except "...unless the source is subject to enforceable limits which restrict..."
Major Source Baseline Date (52.21(b)(14))	Add the following provision: (v) Baseline dates established prior to [insert effective date of EPD rule change] will remain in effect.		
<b>Other Miscellaneous Changes</b>			
Source Obligation (52.21(r))	Add following language prior to (r)(1): In addition to all other applicable requirements specified in this section, the owner or operator shall comply with the requirements of 52.21(r)(1) through (r)(9).		
Permit Rescission (52.21(w))	Any permit issued under this section or a prior version of this section shall remain in effect, unless and until it expires under paragraph (s) of this section or is rescinded. (52.21(w)(1))	Consistent with Pre-12/31/2002 Federal Rule	Any permit issued under this section or a prior version of this section shall remain in effect, unless and until it expires under paragraph (r) of this section or is rescinded.

Miscellaneous Issues

	<p>The Administrator shall grant an application for the rescission if the application shows that this section would not apply to the source or modification. (52.21(w)(3))</p>	<p>Consistent with Pre-12/31/2002 Federal Rule</p>	<p>The Director may grant an application for rescission if the application shows that this section, as it existed at the time the permit was issued, would not apply to the source or modification.</p>
--	--	--	---