

Federal CAIR Rule Reference	Georgia CAIR Proposal for NOx	Comments
40 CFR Part 96, Subpart AA GENERAL PROVISIONS	Incorporate by reference except for the treatment of retired units – do not allocate CAIR NOx allowances to a unit that retired during the baseline years used for allocation.	<p align="center"><u>Supports Proposal</u></p> <p><u>Georgia Power</u>: Supports proposal as long as proposal does not mean that a retired source would have to surrender any allowances that it holds from previously completed allocations.</p> <p><u>OPC</u>: Supports proposal as long as retired units retain allowance only for the remainder of the most recent allowance allocation conducted when such units were still operational, and that when allowances are next reallocated, such units should not be reissued NOx allowances.</p> <p><u>Mid-Ga Cogen (IPP)</u>: Any given unit that is retired during this program only receives allocations already issued and for a period of no more than three years following the retirement year of that unit.</p>
40 CFR Part 96, Subpart BB CAIR DESIGNATED REPRESENTATIVE	Incorporate by reference with no changes.	No comments received.
40 CFR Part 96, Subpart CC PERMITS	Incorporate by reference with no changes.	No comments received.
40 CFR Part 96, Subpart DD RESERVED	Incorporate by reference with no changes.	No comments received.

Federal CAIR Rule Reference	Georgia CAIR Proposal for NOx	Comments
<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.141 – Timing Requirements for Allowance Allocation</p>	<p>A. Report to EPA on 10/31/2006 allocations for years 2009-2011 rather than 2009-2014</p> <p>B. Report to EPA on 10/31/2008 allocations for fourth year ahead – rather than – Report to EPA on 10/31/2009 for six years ahead.</p>	<p><u>Supports Item A Allocation</u> Tenaska (IPP) Public Interest Groups</p> <p><u>Opposes Item A Allocation</u> OPC prefers model rule – Report to EPA on 10/31/2006 allocations for years 2009-2014.</p>
<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.142(a) – Initial Allocations</p>	<p>Revised definition of an existing unit as one which commenced operation before January 1, 2006.</p>	<p><u>Supports</u> Tenaska (IPP) Progress Energy (IPP) OPC</p>
<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.142(a) – Initial Allocations</p>	<p>Allocate for 2009-2011 rather than 2009-2014</p> <p>Basis: Highest Amount of the Unit’s Fuel Adjusted Control Period Heat Input for 2003-2005</p> <p>Taking comment on:</p> <ul style="list-style-type: none"> • Initial Baseline Window: 2003-2005 • Adopt Model Rule Fuel Adjustment Factors • Initial Baseline Basis: Highest Heat Input 	<p><u>Supports Initial Baseline Window of 2003-2005</u> Georgia Power OPC MEAG Power Public Interest Groups Tenaska (IPP) Progress Energy (IPP)</p> <p><u>Opposes Initial Baseline Window of 2003-2005</u> Mid-Georgia Cogen (IPP). Requests that initial baseline window be set at 1998-2004.</p> <hr/>

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<p>CONTINUED....</p> <p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.142(a) – Initial Allocations</p>		<p><u>Supports Use of Model Rule Fuel-Adjustment Factors</u> Georgia Power OPC MEAG Power</p> <p><u>Opposes Use of Model Rule Fuel-Adjustment Factors</u> <u>Requests Fuel Neutral Basis</u> Public Interest Groups Tenaska (IPP) Mid-Georgia Cogen (IPP) Progress Energy (IPP)</p> <hr/> <p><u>Supports Use of Highest HI (MMBtu/yr)</u> Georgia Power OPC MEAG Power Progress Energy</p> <p><u>Opposes Use of Highest HI (MMBtu/yr)</u> Mid-Georgia Cogen (IPP) – requests average of three highest years out of five</p> <p>Tenaska (IPP) – Requests use of output rather than heat input as basis.</p>

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<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.142(a) – Subsequent Allocations</p>	<p>Allocate for 2012, 2013, 2014 and thereafter</p> <p><u>Basis: Two options presented</u></p> <ul style="list-style-type: none"> • Option A: highest amount of the unit's fuel adjusted control period heat input for three year block period • Option B: highest amount of the unit's fuel adjusted control period heat input for 2012 and thereafter – basis year changes annually <p>Georgia EPD seeks comment on output based allocations once EPA requires the monitoring, record keeping and reporting of output.</p>	<p><u>Supports Option A Over Option B</u> Georgia Power OPC</p> <p><u>Supports Option B Over Option A</u> MEAG Power Public Interest Groups Tenaska (IPP) – Move to output based Progress Energy (IPP) – Move to output based</p>
<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.142(a) – Monitoring</p>	<p>Implement 96.142(a)(2)(i) – Use Part 75 if subject to Part 75 or other method approved by Division</p>	<p>No comments received.</p>

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<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.142(b) & (c) – Allocation Assignments</p>	<ul style="list-style-type: none"> • Allocate 5% as EERE set-aside to GEFA • Allocate 3% as new-source set-aside • Allocate remainder to existing units <p>Any un-used new-source set-aside allowances is allocated to existing units per federal model rule.</p>	<p><u>Supports EERE Set-Aside Proposal</u> American Wind Energy Association Public Interest Groups Environmental Resources Trust</p> <p><u>Opposes EERE Set-Aside Program</u> Georgia Power OPC MEAG Power</p> <p><u>Supports New Source Set-Aside Program</u> Georgia Power MEAG Power Tenaska</p> <p><u>Opposes New Source Set-Aside Program</u> OPC – Program needs a sunset date</p>
<p>40 CFR Part 96, Subpart EE NOX ALLOWANCE ALLOCATIONS</p> <p>96.143-Compliance Supplement Pool</p>	<p>Incorporate by Reference</p>	<p><u>MGC</u>: Does not support. Requests a fuel neutral allocation.</p>
<p>40 CFR Part 96, Subpart FF NOX ALLOWANCE TRACKING SYSTEM</p>	<p>Incorporate by reference with minor changes</p>	<p>No comments received.</p>
<p>40 CFR Part 96, Subpart GG ALLOWANCE TRANSFERS</p>	<p>Incorporate by reference</p>	<p>No comments received.</p>

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40 CFR Part 96, Subpart HH MONITORING AND REPORTING	Incorporate by reference.	No comments received

Georgia Power recommends that EPD treat partial years of operating data the same as full years.