

September 21, 2007...

1. EPA proposed approval of Georgia's Full CAIR SIP on August 2, 2007 [72 FR 42349-42354]. The comment period expired on September 4, 2007 and EPA received one comment objecting to approval of Georgia's program. EPA is reviewing the comment. EPA is deciding about approval/disapproval of our program.
2. EPA has indicated their hope of issuing a final rule by the end of September or in October 2007 regarding their conclusion to the CAIR biomass applicability controversy. Georgia EPD will need to conduct an "emergency" rulemaking [i.e., very quickly] with the DNR Board in order for Georgia's CAIR program to reflect the most recent Part 96 rule version if EPA addresses the controversy by revising any portion of the CAIR rule [i.e., Part 96].

Georgia EPD will revise its annual CAIR NOx allowance allocations by removing the previously applicable pulp and paper mills if EPA's revised CAIR rule so removes them from applicability. Georgia EPD will then resubmit its annual CAIR NOx allowance allocations.

3. EPA has indicated their hope of issuing a final CAIR FIP list of affected units and the associated annual NOx allowances by the end of September or in October 2007.
4. Georgia Rule 391-3-1-.02(12)(g)1.(i) specifies a deadline of September 30, 2007 for the recordation of annual NOx allowances by EPA in the CAIR NOx source's compliance account. EPA has indicated to EPD (via conference call) that they will most likely not meet that date, and they will record CAIR NOx allowance allocations as soon as possible after state program approval (or record FIP allowance allocations after state program disapproval). Georgia EPD does not yet know if approval of our program would be pending based on EPD adopting the most recent version of the CAIR rule [see item #2 above].
5. **VERY IMPORTANT:** EPA will only be able to record annual CAIR NOx allowance allocations [state allocations per state CAIR rule] once the affected facilities have assigned a designated representative [i.e., fill out the appropriate forms and submitted to EPA Clean Air Markets Division]. Georgia EPD provided these forms to all affected facilities in May 2007 [Submit an updated Certificate of Representation (DR form)].

IF YOU HAVE NOT YET SUBMITTED AN UPDATED CERTIFICATE OF REPRESENTATION – PLEASE DO SO BY SEPTEMBER 30, 2007. IF YOU NEED HELP WITH THIS PLEASE CONTACT SUSAN JENKINS AT 404-362-4598.