

AGENDA

**Board of Natural Resources
DNR Boardroom
2 MLK Jr. Drive, SE
Suite 1252, East Tower**

**Tuesday, May 19, 2026
9:00 a.m.**

This meeting will be streamed live. Please see link below.

I. Board Meeting

- a) Call to Order Chairman Patrick Denney
- b) Moment of Inspiration Pastor Todd Rainwater
- c) Action on Resolution Honoring Colonel Mike England, Director of the Law Enforcement Division

II. Board Committee Meetings

Environmental Protection Committee (Tab D)

Ray Lambert (Chair)

Members: Duncan Johnson (Vice Chair), Addison, Andrews, Garcia, Hodge, Hufstetler, Jones, Layton, Reynolds, Shailendra, Sinyard

- a) Action on Proposed Amendments to the Rules for Air Quality Control, Chapter 391-3-1, Pertaining to Miscellaneous Changes and Updates, (James Boylan, Chief, Air Protection Branch)

Wildlife Resources Committee (Tab E)

Steve Hufstetler, Chair

Members: Hatfield (Vice Chair), Andrews, DePriest, Garcia, Hennessy, Hodge, Johnson, Layton, Peavy, Reynolds, Sinyard

- a) Presentation on a Public Scoping on Proposed Amendments to Subject 391-4-10, Protection of Endangered, Threatened, Rare or Unusual Species (WCS Program Manager Trina Morris) (No Material)

III. Board Meeting

Approval of Minutes

- a) Minutes of the Board of Natural Resources meeting on April 28, 2026 (Tab A)

EPD Director's Report

- a) Remarks

DNR Commissioner's Report

- a) Commissioner's Report
- b) Division Updates
- c) DNR Capital Outlay Status Report (Tab B)
- d) DNR Weekly Updates sent via email

Report of the Environmental Protection Committee

Ray Lambert, Chair

- a) Action on Proposed Amendments to the Rules for Air Quality Control, Chapter 391-3-1, Pertaining to Miscellaneous Changes and Updates, (James Boylan, Chief, Air Protection Branch)

Other Business

- a) Sale of General Obligation Bonds pursuant to the FY 2023-2024 and FY 2026-2027 General Appropriations Acts (Kate Iannuzzi, Deputy Executive Counsel)

IV. Adjourn

The next Board of Natural Resources meeting will be held on Tuesday, June 23, 2026, at 9:00 am at F.D. Roosevelt State Park (2970 Georgia Highway 190, Pine Mountain, GA 31822).

Live Stream Link:

Join Zoom Meeting

<https://us06web.zoom.us/j/84044499650?pwd=mdeagWu5TS18nR3fR1RTUXVuBMY056.1>

Meeting ID: 840 4449 9650

Passcode: 148394



AGENDA

**Coastal Committee
DNR Boardroom
2 MLK Jr. Drive, SE
Suite 1252, East Tower**

**Monday, May 18, 2026
2:00 p.m.**

This meeting will be streamed live. Please see link below.

Coastal Committee (Tab C)

Nancy Addison, Chair

Members: Harley Yancey (Vice Chair), Dellinger, DePriest, Hatfield, Hennessy, Hodge, Jones, Lambert, Layton, Peavy, Shailendra

- a) Briefing on the Proposed Amendment to the Rules of the Georgia Department of Natural Resources, Saltwater Fishing Regulations, Rule 391-2-4 (Doug Haymans, Director, and Dr. Jared Flowers, Research and Surveys Program Supervisor)
- b) Presentation on Recreational Docks (No Materials)

Live Stream Link:

Join Zoom Meeting

<https://us06web.zoom.us/j/82944577284?pwd=Xcqt9KgRNsh3e0fQpdnUZ2O6XpOwJA.1>

Meeting ID: 829 4457 7284

Passcode: 435772

Minutes
Board of Natural Resources
George T. Bagby State Park
330 Bagby Pkwy
Fort Gaines, GA 39851

Tuesday, April 28, 2026
9:00 a.m.

Board Members

Patrick Denney, Chair
Randy Dellinger, Vice Chair
Dan Garcia, Secretary
Jeff Andrews
Charles DePriest
Joe Hatfield
Mark Hennessy
Penn Hodge
Steve Hufstetler
Duncan Johnson
Bill Jones (via conference call)
Ray Lambert
Mike Peavy
Lesley Reynolds
Bodine Sinyard

Staff Members

Walter Rabon, Commissioner
Thomas Barnard
Trevor Santos
Kate Iannuzzi
Haley Chafin
Jeff Cown
Anna Truscynski
Katie Bloomfield
Chris Harper
Tina Johannsen
Angie Johnson
Andre McLendon
Thom Litts
James McLaughlin
Bob Holley
Brent Womack
Doug Haymans

Guests

Dominic Kirkpatrick, Friends of State Parks
Charles Burton, North Georgia Mountain Authority

The April 28, 2026, meeting of the Board of Natural Resources was called to order by Patrick Denney, Chairman of the Board of Natural Resources.

Chairman Denney called on Scott Curry to deliver a moment of inspiration.

Chairman Denney adjourned the Board meeting to move into the Committee meetings.

Chairman Denney called the April 28, 2026, meeting of the Board of Natural Resources back to order.

Chairman Denney called for a motion to approve the minutes of the Board of Natural Resources meeting on March 24, 2026.

A motion was made by Mr. Johnson, seconded by Mr. Hennessy and carried unanimously to approve the minutes of the Board of Natural Resources meeting on March 24, 2026.

Chairman Denney called on Jeff Cown, Director of the Environmental Protection Division, for his report.

Director Cown reported that EPA declared a Level 1 drought response on April 27 following months of monitoring drought indicators, including precipitation, stream flows, groundwater, and soil moisture. He explained that Level 1 requires public water systems to conduct public information campaigns but does not restrict outdoor watering between 4:00 p.m. and 10:00 a.m. or impose limits on agricultural or golf course water use.

Director Cown also announced the annual open burning ban effective May 1 through September 30 for 54 counties in northern Georgia due to ozone season, along with a separate burn ban for 11 counties in southern Georgia because of wildfire conditions. He stated recreational fires and grilling remain exempt, though citizens were encouraged to check with local fire departments.

Director Cown noted that ozone exceedances in April were driven by heat, low humidity, and a high-pressure system. In response to board questions, he stated that burn ban enforcement is coordinated among EPD, local governments, and forestry officials, with citizen reports also assisting enforcement efforts.

Director Cown reported on several recent conferences and recognition events, including attendance at the 2026 Environmental Council of States Supreme Conference, which drew more than 350 attendees from 40 states and focused on the theme of balancing environmental protection with economic development. He noted that Governor Brian Kemp and South Carolina Governor Henry McMaster participated in a fireside chat during the conference. He also attended the Association of Air Pollution Control Agencies Spring Meeting in Atlanta, where he spoke in his role as president of the organization, and the 2026 Rivers Alive Award Ceremony recognizing volunteer cleanup efforts across the state. He stated that Georgia continues to demonstrate leadership in maintaining strong environmental protections and air quality while supporting economic growth.

Chairman Denney called on Commissioner Rabon for his report.

Commissioner Rabon announced that Chris Hodge was selected as director of the Law Enforcement Division effective April 16. Commissioner Rabon noted that Colonel Hodge began his career in 2001 and most recently served as captain of the coastal region overseeing 20 southeast Georgia counties. He also announced the retirement of Mike England after 36 years of service, with formal recognition planned for the next board meeting.

Commissioner Rabon addressed the ongoing wildfire emergency in southeast Georgia, reporting that two retired DNR employees lost their homes in the Brantley County wildfires.

Commissioner Rabon provided an update on the 2026 legislative session, reporting that DNR tracked more than 250 bills. He highlighted Senate Bill 148, which authorizes hunter education courses for students in grades 6–12, and explained that curriculum standards have been approved by Department of Education leadership and will move through public comment and final State Board of Education approval. He noted that teachers will be able to obtain hunter education instructor certification and offer the curriculum either as a standalone course or within existing classes. Commissioner Rabon also reported that the FY27 budget has been approved by the General Assembly and sent to Governor Brian Kemp, including funding for equipment replacement, fish hatchery operations, and facility maintenance and repairs. He thanked the General Assembly, Governor Kemp, and OPB Director Rick Dunn for their continued support.

Commissioner Rabon announced that more than \$2 million was appropriated to the newly created Vince Dooley Trust Fund, which will provide grants to nonprofits and state agencies for permanent greenspace protection, with applications expected to open next month.

Commissioner Rabon welcomed the 11th class of the DNR Leadership Academy at Charlie Elliott Wildlife Center and described the program as a series of five three-day sessions focused on leadership development and institutional knowledge for 18 employees per class. He invited board members to attend future sessions.

Commissioner Rabon also reported that fisheries staff are conducting spring population monitoring and stocking efforts statewide, including largemouth bass, striped bass, hybrid bass, walleye, and more than 50,000 trout at 80 stream locations, with stockings continuing through Labor Day. He stated that DNR stocked 11 million fish statewide in FY25 and is on track to meet or exceed that number in FY26.

Commissioner Rabon announced the relaunch of the SPLASH water safety initiative, originally created under Governor Deal, with updated public education materials to be released during Water Safety Month in May to help reduce water-related deaths and injuries. He also announced upcoming events, including a ribbon cutting for the renovated Champney River Boat Ramp near Darien on May 1 and Hunting and Fishing Night with the Atlanta Braves on August 29 against the Colorado Rockies, featuring outdoor-themed activities and exhibits at The Battery before the game.

Commissioner Rabon called on Angie Johnson, Director of the Parks and Historic Sites Division, for her update.

Director Johnson updated the board on renovations at George T. Bagby State Park, America's 250th Celebration, the National Association of State Park Directors, Roosevelt's Little White House Ceremony, Tanzania National Parks Visit, National State Park Leadership School, Vogel State Park Dam Repairs, Georgia Power Partnership, Etowah Indian Mounds Artifact Recovery, and the 2026 Preservation Award for Excellence in Rehabilitation.

Commissioner Rabon called on Lt. Col. James McLaughlin for a report on the Law Enforcement Division.

Lt. Col. McLaughlin updated the board on the emergency response to the south Georgia wildfires and the Unified Command with the Georgia Forestry Commission, Game Warden Academy Graduation, turkey season safety, special operations training, national leadership training, and ongoing challenges within the division.

Commissioner Rabon concluded his report.

Chairman Denney called Randy Dellinger for a report of the Coastal Committee.

A motion was made by Mr. Dellinger, seconded by Mr. Johnson, and carried unanimously that the Board adopt the Resolution to approve the Proposed Amendments to the Rules of Georgia Department of Natural Resources, Saltwater Fishing Regulations, Rule 391-2-4.
(Resolution attached hereto and made a part thereof)

Chairman Denney called on Mark Hennessy, Chair of the Land Committee, for the committee report.

A motion was made by Mr. Hennessy, seconded by Mr. Johnson, and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commissioner approval to acquire through donation the 129± acres Bo Ginn National Fish Hatchery from the National Park Service, Magnolia Springs State Park, Jenkins County. (Resolution attached hereto and made a part thereof)

A motion was made by Mr. Hennessy, seconded by Mr. Johnson, and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commissioner approval of reversionary deed language of approximately 13,843.5± acres conveyed by donation by the Georgia Department of Transportation (DOT), in Bleckley, Lee, Long, Jeff Davis, Madison, Montgomery, Murray, Putnam, Screven, Taylor, and Upson County. (Resolution attached hereto and made a part thereof)

Chairman Denney called Steve Hufstetler, Chair of the Wildlife Resources Committee, for a committee report.

A motion was made by Mr. Hufstetler, seconded by Mr. Johnson, and carried unanimously, that the Board approve the Proposed Amendments to Subject 391-4-2, Hunting Regulations, Migratory Gamebirds.

Chairman Denney announced that the next Board meeting will be held Tuesday, May 19 at 9:00 am in the DNR Boardroom. He stated that due to items on the agenda that are more complex in nature and may require additional time for presentation, discussion, and public comment, the Coastal Committee meeting will be held on Monday, May 18 at 2:00 pm.

There being no further business, the meeting was adjourned.

Patrick Denney, Chairman

ATTEST:

Dan Garcia, Secretary

**Minutes
Coastal Committee
George T. Bagby State Park
330 Bagby Pkwy
Fort Gaines, GA 39851**

Tuesday, April 28, 2026

9:00 a.m.

Committee Members

Randy Dellinger (Acting Chair)
Charles DePriest
Joe Hatfield
Mark Hennessy
Penn Hodge
Bill Jones (via conference call)
Ray Lambert
Mike Peavy
Patrick Denney, Board Chair, Ex-Officio

Board Members

Jeff Andrews
Dan Garcia
Steve Hufstetler
Duncan Johnson
Bodine Sinyard
Lesley Reynolds

The April 28, 2026, meeting of the Coastal Committee was called to order by Patrick Denney, Chairman of the Board of Natural Resources.

Chairman Denney named Randy Dellinger as the Acting Chair of the Coastal Committee. Mr. Dellinger called on Doug Haymans, Director of the Coastal Resources Division, to present the action item.

Director Haymans presented the proposed amendments to Saltwater Fishing Regulations for shellfish summer harvest extended periods. He stated that the public comment period closed the previous week and the division received 8 comments which were all positive from both recreational and commercial fishing communities.

Director Haymans requested favorable consideration.

A motion was made by Mr. Hatfield, seconded by Mr. DePriest, and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the Proposed Amendments to the Rules of the Georgia Department of Natural Resources, Saltwater Fishing Regulations, Rule 391-2-4.

There being no further business, the meeting was adjourned.

**Minutes
Land Committee
George T. Bagby State Park
330 Bagby Pkwy
Fort Gaines, GA 39851**

Tuesday, April 28, 2026

9:00 a.m.

Committee Members

Mark Hennessy, Chair
Penn Hodge, Vice Chair
Jeff Andrews
Randy Dellinger
Dan Garcia
Joe Hatfield
Steve Hufstetler
Duncan Johnson
Lesley Reynolds
Patrick Denney, Board Chair, Ex-Officio

Board Members

Charles DePriest
Bill Jones (via conference call)
Ray Lambert
Mike Peavy
Bodine Sinyard

The April 28, 2026, meeting of the Land Committee was called to order by Patrick Denney, Chairman of the Board of Natural Resources.

Chairman Denney called on Mark Hennessy, Chair of the Land Committee, who then called on Brent Womack, Chief of Real Estate, to present the items.

Mr. Womack stated the first item was requesting approval through donation for 129± acres Bo Ginn National Fish Hatchery from the National Park Service, Magnolia Springs State Park, Jenkins County. He further stated the property is adjacent to Magnolia Springs State Park and contains part of a Civil War archaeological site. He added that the acquisition would protect the park against future development while improving public access.

Mr. Womack requested favorable consideration.

A motion was made by Mr. Johnson, seconded by Mr. Hatfield, and carried unanimously that the Committee recommend the Board adopt the Resolution authorizing the Commissioner to seek State Properties Commission approval to acquire through donation the

129 ± acres Bo Ginn National Fish Hatchery from the National Park Service, Magnolia Springs State Park, Jenkins County.

Mr. Womack stated the second item would be the approval of reversionary deed language for approximately 13,843.5 acres convey by the Georgia Department of Natural Resources across 11 counties. He further stated these properties were previously approved for donation since 2021 but reversionary language was inadvertently omitted. He added that the federal resources require reversionary interest when federal funds were used to acquire properties transferred at less than fair market value.

Mr. Womack requested favorable consideration.

A motion was made by Mr. Johnson, seconded by Mr. Hatfield, and carried unanimously that the Committee recommend the Board adopt the Resolution authorizing the Commissioner to seek State Properties Commission approval of revisionary deed language of approximately 13,843.5+ acres conveyed by donation by the Georgia Department of Transportation (DOT), in Bleckley, Lee, Long, Jeff Davis, Madison, Montgomery, Murray, Putnam, Screven, Taylor, and Upson County.

There being no further business, the meeting was adjourned.

Minutes
Wildlife Resources Committee
Land Committee
George T. Bagby State Park
330 Bagby Pkwy
Fort Gaines, GA 39851

Tuesday, April 28, 2026
9:00 a.m.

Committee Members

Steve Hufstetler, Chair
Joe Hatfield, Vice Chair
Jeff Andrews
Charles DePriest
Dan Garcia
Mark Hennessy
Penn Hodge
Duncan Johnson
Mike Peavy
Lesley Reynolds
Bodine Sinyard
Patrick Denney, Board Chair, Ex-Officio

Board Members

Randy Dellinger
Bill Jones (via conference call)
Ray Lambert

The April 28, 2026, meeting of the Wildlife Resources Committee was called to order by Patrick Denney, Chairman of the Board of Natural Resources.

Chairman Denney called on Steve Hufstetler, Chair of the Wildlife Resources Committee, who called on Tina Johannsen, Assistant Chief of Game Management, to present two items.

Ms. Johannsen presented the annual waterfowl regulations with only one change from the previous year. She stated that the ending date will shift back to January 31st regardless of the day of the week, rather than always ending on Sunday as previously modified. She clarified this change was in response to hunter feedback and does not change the number of days or limit.

Ms. Johannsen requested favorable consideration.

A motion was made by Mr. DePriest, seconded by Mr. Yancey, and carried unanimously that the Committee recommend that the Board approve the Proposed Amendment to Subject 391-4-2, Hunting Regulations, Migratory Gamebirds.

Ms. Johanssen stated the next item would be a briefing on the proposed amendments to hunting regulations. She further stated that this is an off-year cycle year for amendments, but changes are needed due to new legislation and property acquisition.

Ms. Johanssen stated these amendments are needed to clarify issues related to hunting regulations on wildlife management areas – prohibit the use of drones to locate game and hogs; clarify rules related to quota hunts, fox and bobcat hunting, and night hunting restrictions; and set hunting regulations for the newly acquired Upatoi Natural Area in Talbot County.

Ms. Johanssen stated the public comment period would close on May 31, 2026, and that she plans to present these proposals and any public comments received to the Board for consideration at the June 23, 2026, meeting.

There being no further business, the meeting was adjourned.

DNR CAPITAL OUTLAY STATUS REPORT - APRIL 2026

Date Updated: 4/15/2025

SITE	DIVISION	PROJECT	FUND SOURCE	BUDGET	EXPENSES TO DATE	DESIGN STATUS	PHYSICAL COMPLETION	COMMENTS
Fort McAllister	PHS	Campground Dock Repairs	State Funds	\$ 23,800	\$ 7,400	100%	0%	Awaiting Funding
Franklin D. Roosevelt State Park	PHS	Dowdell's Knob Gate	FY-25 Park Pass	\$ 63,939	\$ 20,520	N/A	0%	Equipment ordered / scheduling
Franklin D. Roosevelt State Park	PHS	Little White House Historic Bldg. Improvements (Design)	BONDS FY-24 (DNR-164)	\$ 183,700	\$ 26,005	40%	0%	engaged, virtual meeting 4/17 with design team, contractor, E&C
Franklin D. Roosevelt State Park	PHS	Liberty Bell Pool Upgrades	Fy-25 Park Pass FY-26 GOSP Grant	\$ 609,167	\$ 70,800	100%	0%	Starting after Labor Day, contractor met with on site
George L. Smith State Park	PHS	Campground Renovations	Pass BONDS FY-23 (DNR-164)	\$ 4,712,441	\$ 2,954,655	100%	95%	Under construction, punch scheduled for 4/21
George L. Smith State Park	PHS	Mill House Repairs	BONDS FY-26 (DNR-178)	\$ 52,382	\$ 21,582		75%	Under construction / scheduling additional repairs
George L. Smith State Park	PHS	Yurt Village	FY-25 State Appropriations BONDS FY-24 (DNR-167)	\$ 1,388,578	\$ 48,082	100%	25%	Under construction
George L. Smith State Park	PHS	Day Use Improvements	FY-26 CASH BONDS (DNR-178) FY-26 GOSP Grant	\$ 1,177,918	\$ 11,600	0%	0%	Underway
George T. Bagby State Park	PHS	Kitchen Renovation & Site Improvements	FY25 Amended Funds	\$ 300,000	\$ 27,564	100%	75%	Under construction (Site Only)
Hamburg State Park	PHS	Ground Water Well	BONDS FY-24 (DNR-169)	\$ 27,500	\$ -	40%	0%	Engineering Underway
Hofwyl-Broadfield State Park	PHS	ADA Trail Access and Museum Renovation	FY-26 GOSP Grant	\$ 3,720,000				
Hofwyl-Broadfield State Park	PHS	Repair subfloor damage to residences	FY-26 PARK PASS	\$ 441,226	\$ -	N/A	0%	Waiting on insurance adjuster site visit
Indian Springs State Park	PHS	Yurt Village	FY-24 E&C Funds FY24 Amended Funds	\$ 2,988,141	\$ 1,752,808	100%	90%	Under construction
Jack Hill State Park	PHS	Fishing Pier/ADA Improvements	FY-25 State Appropriations BONDS FY-24 (DNR-164)	\$ 322,880	\$ 184,761	100%	100%	Complete
Laura S. Walker State Park	PHS	Exterior Renovations for Group Shelter 3 & 4	FY-26 PARK PASS	\$ 217,289		N/A	0%	Scheduling
Laura S. Walker State Park	PHS	Exterior Renovations for Group Shelter 3 & 4	BONDS FY-24 (DNR-169)	\$ 107,500	\$ 21,500	10%	15%	Design Underway
Sylvania Welcome Center	PHS	New Campground (Design)		\$ 107,500	\$ 21,500	10%	15%	Design Underway
SAM Shortline	PHS	Site Improvements	DOT Grant	\$ 234,500	\$ 122,900	85%	0%	Design complete / permitting
Sapelo Island	PHS	Reynolds Mansion Improvements (MEP)	AFY-23 Funds FY-23 PARK RECEIPTS FY-26 CASH BONDS (DNR-179)	\$ 3,117,100	\$ 1,200,032	100%	75%	MEP/Electrical Complete, FF/FA Pending. Wall Complete
Skidaway State Park	PHS	Campground Improvements/Reno	BONDS FY-24 (DNR-169) BONDS FY-24 (DNR-167)	\$ 3,901,076	\$ 581,235	100%	25%	Under construction
Providence Canyon State Park	PHS	Day-Use area observation tower and erosion mitigation	BONDS FY-24 (DNR-169)	\$ 169,000	\$ 10,800	30%	0%	Underway
Providence Canyon State Park	PHS	ADA and Trail Improvements	FY-26 GOSP Grant	\$ 620,776		10%	0%	Design Underway
Stephen C. Foster State Park	PHS	Cabin Replacement	FY-27 State Appropriations FY-26 State Appropriations	\$ 6,367,096	\$ 566,721	100%	10%	Under Construction
Stephen C. Foster State Park	PHS	Boat Basin Bulkhead	GOSP Grant BONDS FY-25 (DNR#172)	\$ 1,836,691	\$ 326,164	100%	50%	Under construction
Stephen C. Foster State Park	PHS	New Visitor Center	BONDS FY-27 (TBD)	\$ 5,000,000		0%	0%	Scoping
Chattahoochee Bend State Park	PHS	Linen Facility	FY-25 CASH BONDS (DNR-178)	\$ 1,000,000	\$ 132,356	100%	60%	Under Construction
Cloudland Canyon	PHS	Cottage Renovations 6-15 (Design)	FY-25 Park Pass BONDS FY-27 (TBD)	\$ 5,335,947	\$ 39,802	15%	0%	Design Underway
Cloudland Canyon	PHS	Visitor Center Construction	FY-24 State Funds BONDS FY-23 (DNR-169) BONDS FY-22 (DNR-160) BOND FY-23 (DNR-163)	\$ 7,352,257	\$ 2,151,413	100%	45%	Under Construction
Dams	PHS	Dam Repairs - Vogel	BOND FY-23 (DNR-163)	\$ 4,390,164	\$ 841,066	100%	25%	Under Construction
Don Carter State Park	PHS	Install new distribution box	FY26 PARK PASS FUNDS	\$ 25,520		N/A	0%	Install Scheduled 4-20-2026
Fort Yargo State Park	PHS	Dock Replacement	FY-26 Amended Funds	\$ 80,000		0%	0%	Scoping
Hamburg State Park	PHS	Filtration System	BONDS FY-23 (DNR-169)	\$ 27,500	\$ -	50%	0%	Design Underway
Tallulah Gorge State Park	PHS	Lake Access Improvements	FY-24 Park Receipts FY-26 PARK PASS	\$ 1,140,759	\$ 202,343	100%	15%	Underway
Tallulah Gorge State Park	PHS	Accessible path and Overlook	BONDS FY-24 (DNR-167) FY-26 PARK PASS	\$ 159,500	\$ 19,000	10%	0%	Design Underway
Tugaloo State Park	PHS	Comfort Station #4 Wastewater System	FY26 PARK PASS FUNDS	\$ 86,500		40%	25%	PO Awarded-Tanks Ordered.
Tugaloo State Park	PHS	ADA Ramp & Rails at Cottage #13	LWCF BONDS FY-24 (DNR#164)	\$ 163,524	\$ 76,397	100%	50%	Under Construction
Victoria Bryant State Park	PHS	Highland Walk Golf Course irrigation repairs	BONDS FY-24 (DNR-169)	\$ 74,173	\$ 49,793		85%	Sprinkler Head Replacement CO underway
Various State Park Locations	PHS	Various Park Projects (Supplemental)	FY22 Amended Funds BOND FY-24 (DNR-169) FY-25 State Appropriations WRD Grant Funding	\$ 3,846,233	\$ -	0%	0%	Scoping/Tracking
Various Park Sites	PHS	Category I Dam Inspections	BONDS FY-24 (DNR-169)	\$ 19,700	\$ -	0%	N/A	Scheduling
Various Sites Statewide	PHS	Campground Renovations (Skidaway or Blackrock)	BONDS FY-27 (TBD)	\$ 2,512,500		0%	0%	Scoping
Various Sites Statewide	PHS	Comfort Station Replacement (Laura Walker, Elijah Clark, and Indian Sp	BONDS FY-27 (TBD)	\$ 750,000		0%	0%	Scoping
Alapaha WMA	WRD	Mobile Home	Funding TBD			0%	N/A	Scoping/Pricing
Albany WMA	WRD	Paving Improvements	FY26 EPD FUNDS FY26 WRD FUNDS FY26 PARKS FUNDS	\$ 164,914	\$ -	0%	N/A	Received PO / scheduling pre-con
Ceylon WMA	WRD	Maintenance Shop and Mobile Home	WRD GRANT FUNDING			0%	N/A	Scoping & Pricing
Dawson - Steve Cocke Fish Hatchery	WRD	Repair pond leaks	FY-26 WRD FUNDS	\$ 915,241	\$ 485,572	N/A	0%	Scheduling
Fish Hatchery Improvements	WRD	Bowen's Mill Hatchery Improvements	BONDS FY-23 (DNR-164) FY-23 E&C Funds Wildlife Endowment Funds	\$ 5,821,752	\$ 4,755,673	100%	90%	Under construction - Waiting on steel
Flat Creek PFA	WRD	Flat Creek Public Fishing Area MRR Funds	FY-26 CASH BONDS (DNR-183)	\$ 500,000	\$ 19,472	0%	95%	Under construction
Go Fish Education Center	WRD	New aquarium acrylic panels	BONDS FY-26 (DNR-178)	\$ 256,584	\$ 356,242	N/A	95%	Pre-filters and ozone compressors are ordered
Sapelo Island	WRD	Boathouse & Hoist Improvements	WRD Funds FY-25 State Appropriations	\$ 1,232,000	\$ 486,276	100%	20%	Underway
Sapelo Island	WRD	McKinley House and Marsh House Renovations	BONDS FY-26 (DNR-178)	\$ 196,723	\$ -	N/A	90%	Under Construction
Sapelo Island	WRD	Paving Improvements	FY-26 Amended Funds	\$ 5,000,000	\$ -	N/A	0%	Scoping/Pricing
Summerville Trout Hatchery	WRD	Hatchery Improvements	BONDS FY-26 (DNR-186)	\$ 3,000,000		0%	0%	Scoping
Altamaha WMA	WRD	Cabin Renovation	FY-26 WRD Funds	\$ 143,996	\$ 56,565	N/A	100%	Complete
Altamaha WMA	WRD	Butler House (DOAS Cash-Out)	DOAS Insurance	\$ 874,200		0%	0%	Scoping
Sapelo Island	WRD	Cabretta Bridge Repair	FY-25 Parks / WRD	\$ 798,500	\$ 387,213	N/A	20%	Under construction
Sapelo Island	WRD	Ferry Design/Procurement	WRD Funds FY24 - WRD Timber Funds DOT BOND Dollars FY-26 CASH BONDS (DNR-177)	\$ 6,294,000	\$ 380,471	100%	0%	Purchasing/Evaluating
Sapelo Island	WRD	Dean's Creek Nature Trail	FY-25 WRD Funds	\$ 635,598	\$ 534,610		85%	Under construction
Sapelo Island	WRD	Sapelo Nanny Goat Pavilion	FY-25 State Appropriations	\$ 1,242,261	\$ 31,175	100%	0%	Additional Funding Req'd, working with LWCF

DNR CAPITAL OUTLAY STATUS REPORT - APRIL 2026

Date Updated: 4/15/2025

Sapelo Island	WRD	Long Tabby Shoreline Design	FY-26 WRD FUNDING	\$ 24,160	\$ 6,280	60%	0%	Underway
Sapelo Island	WRD	UGAMI Campus Shoreline Design	FY-26 WRD FUNDING	\$ 39,760	\$ 21,400	60%	0%	Underway
Sapelo Island	WRD	Hog Hammock Water System Improvements	FY26 WRD FUNDS	\$ 9,500	\$ -	25%	0%	Report Underway
Sapelo Island	WRD	Visitor Center Expansion & Exhibits (Design)	WRD Grant Funding BONDS FY-26 (DNR-172) WRD Funds	\$ 197,500	\$ 26,471	20%	0%	Design Underway
Wildlife Resources Division	WRD	Coastal Housing/Infrastructure (Buck Shoals)	FY-26 CASH BONDS (DNR-178)	\$ 1,000,000	\$ -	0%	0%	Scoping
Charlie Elliott WEC	WRD	Animal Care Facility & Open Air Pavilion	WRD Funds GOSP Funds BONDS FY-22 (DNR-160) BONDS FY-24 (DNR-169)	\$ 5,925,318	\$ 5,705,023	100%	97%	Reviewing other options to the expensive testing required for Pile placement.
Charlie Elliott WEC	WRD	Sporting Clay Planning	FY26 WRD FUNDS	\$ 6,500	\$ -	45%	0%	Concept Underway
Chattahoochee WMA	WRD	Check Station	FY-26 WRD Funds	\$ 116,179	\$ -	N/A	40%	Building Kit Ordered
McDuffie PFA	WRD	Prefabricated Bridge	FY-26 WRD FUNDING	\$ 82,777	\$ -	100%	100%	Complete
McDuffie PFA	WRD	McDuffie Hurricane Helene Storm Damage	DOAS Insurance	\$ 116,750	\$ -	N/A	40%	PO Revised, Scheduling
McDuffie PFA	WRD	Grits Mill Demolition	Funding TBD	\$ -	\$ -	0%	N/A	Scheduling
McDuffie PFA	WRD	Cabin Demo	Funding TBD	\$ -	\$ -	0%	N/A	Underway
Various DNR Locations	WRD	Shooting Range Renovations (Wilson Shoals)	FY22 Amended Funds BOND FY-24 (DNR-169) FY-25 State Appropriations WRD Grant Funding	\$ 2,055,856	\$ 455,054	N/A	0%	Under Construction
Wildlife Resources Division	WRD	Facilities MRR Funds	BONDS FY-24 (DNR-169)	\$ 105,157	\$ -	0%	0%	Scoping/Tracking
Wildlife Resources Division	WRD	Storage Room	BONDS FY-25 (DNR-171)	\$ 62,802	\$ 48,723	N/A	100%	Complete
Tuckahoe Wildlife Management Area	WRD	Campground	BONDS FY-25 (DNR-171)	\$ 1,000,000	\$ -	100%	0%	Value Engineering
DI-Lane WMA	WRD	Improvements	BONDS FY-26 (DNR-178)	\$ 50,000	\$ -	0%	0%	Scoping
Wildlife Resources Division	WRD	FY25 - WRD Surplus Funds	FY-25 WRD Funds	\$ 500,000	\$ -	0%	N/A	Tracking
Wildlife Resources Division	WRD	Various Boat Docks	FY-26 Fisheries Funds	\$ 994,294	\$ -	100%	5%	Underway
Various Sites Statewide	WRD	Boat Ramp Repairs & Maintenance	BONDS FY-27 (TBD)	\$ 500,000	\$ -	0%	0%	Scoping
Various Sites Statewide	WRD	Facility & Infrastructure Improvements (McDuffie, Ocmulgee, Bowens Mill)	BONDS FY-27 (TBD)	\$ 752,500	\$ -	0%	0%	Scoping
Various Sites Statewide	WRD	Hatchery Residence Replacement	BONDS FY-27 (TBD)	\$ 650,000	\$ -	0%	0%	Scoping
Georgia Veterans	NGMA	Lake Blackshear Villas	BONDS FY-24 (DNR-170) AFY 24	\$ 14,448,871	\$ 10,041,281	100%	75%	Under construction
Georgia Veterans	NGMA	Lake Blackshear Conference Center Renovations	BONDS FY-24 (DNR-170) AFY 24	\$ 5,015,581	\$ -	100%	5%	Underway
Georgia Veterans	NGMA	Lake Blackshear - Pickleball Courts	FY25 Amended Funds LWCF Grant BONDS FY-26 (DNR-172)	\$ 456,071	\$ 37,042	100%	25%	Underway
Little Ocmulgee SP	NGMA	Little Ocmulgee State Park Dam Evaluation	BOND FY-22 (DNR-160) BOND FY-23 (DNR-164)	\$ 147,229	\$ 102,405	N/A	90%	Underway
Little Ocmulgee SP	NGMA	Little Ocmulgee State Park & Lodge (CCC Annex Reno/Site Improvement)	AFY-23 Funds AFY-24 Funds FY-25 Funds AFY-25 Funds AFY-26 Funds	\$ 5,580,502	\$ 225,888	95%	0%	Submitting for permit, pricing
Amicalola Falls SP	NGMA	Amicalola Day Use Improvements	NGMA Funds E&C Funds	\$ 120,200	\$ 85,850	70%	0%	Design Underway, Fall Start
Amicalola Falls SP	NGMA	Amicalola East Ridge Trail Renovation	RTP Grant / NGMA BOND FY-24 (DNR-167)	\$ 1,258,557	\$ 470,644	100%	40%	Under Construction
Amicalola Falls SP	NGMA	Amicalola Falls Lodge Interior Improvements	BONDS FY-26 (DNR-176)	\$ 1,705,688	\$ 323,519	100%	5%	Starts May 18th
Brasstown Valley Resort	NGMA	Brasstown Resort Interior Improvements	BONDS FY-26 (DNR-176) FY-26 NGMA FUNDS	\$ 7,427,893	\$ 956,831	100%	20%	Phase 1 2nd floor, cottages 2&3 2/23/26-4/17/2026
Unicoi State Park	NGMA	Renovations at Unicoi State Park & Lodge (Supplemental)	AFY-24 Funds	\$ 1,217,630	\$ 1,056,494	0%	0%	Tracking
Unicoi State Park	NGMA	Infrastructure improvements and renovations to Unicoi State Park & Lodge	BONDS FY-26 (NGMA1)	\$ 1,750,000	\$ -	0%	0%	Scoping
EPD - Brunswick District Office	EPD	Office Expansion and renovations	BONDS FY-27 (TBD)	\$ 1,250,000	\$ -	0%	0%	Scoping
EPD - Macon Office	EPD	Macon Office Renovations	FY-26 CASH BONDS (DNR-178)	\$ 1,200,000	\$ 104,334	100%	20%	Under construction Shop drawing underway for approval
LED Sinclair	LED	LED Boat House (Sinclair)	FY-26 CASH BONDS (DNR-178)	\$ 595,608	\$ -	100%	15%	Underway
Champey WMA	CRD	Champey Boat Ramp Improvements	FY-25 CRD Funds GOSP Grant	\$ 2,354,838	\$ 1,738,414	100%	100%	Complete
CRD HQ	CRD	MRR Funds (Bulkhead)	FY-26 CASH BONDS (DNR-178)	\$ 250,000	\$ 6,700	5%	0%	CRD Managed
Various DNR Locations	DNR	ADA Transition Plan Development and Consultation	PP Rev 2016	\$ 463,846	\$ 409,126	90%	NA	In Progress
Various Sites Statewide	DNR	Replacement of gangways	BONDS FY-26 (DNR-187)	\$ 1,500,000	\$ -	0%	0%	Scoping
DNR Region 2 HQ	DNR	HQ2	FY-26 CASH BONDS (DNR-179) FY-25 CASH BONDS (DNR-171)	\$ 14,425,780	\$ 526,805	100%	0%	Bid Date Mid-May



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

May 4, 2026

MEMORANDUM

TO: Members, Board of Natural Resources

FROM: Doug Haymans

SUBJECT: Proposed Amendment to the Rules of the Georgia Department of Natural Resources, Saltwater Fishing Regulations, Rule 391-2-4-.04

The Coastal Resources Division is proposing to amend a Rule, contained in the Saltwater Fishing Regulations, 391-2-4-.04(3)(m). The proposed amendment would decrease the Red Drum daily creel limit from five (5) fish to three (3) and increase the slot size limit from 14 - 23 inches Total Length (TL) to 15 - 24 inches Total Length (TL).

Included in this packet are the following:

- Public Notice Page A 2
- Background and Synopsis Pages A 3 - 6
- Date, Time and Place of Board Action Page A 6
- Explanation of the Public Participation Plan Page A 7
- Analysis of Small Business Impacts Page A 8
- Strikethrough Copy of Amended Rule Pages A 9 - 14
- Exact Copy of Proposed Rule Pages A 15 - 20

I respectfully submit these items for your consideration. The Coastal Resources Division looks forward to presenting these at the May meeting.

DH/kk

Attachments



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

May 20, 2026

NOTICE OF PROPOSED REGULATION CHANGES

TO: All Interested Persons and Parties

FROM: Doug Haymans

SUBJECT: Proposed Amendments to the Saltwater Fishing Regulations, Rule 391-2-4-.04

Notice is hereby given that, pursuant to authority contained in O.C.G.A. §§ 12-2-24, 27-1-4 and 27-4-10, the Board of Natural Resources proposes to amend the Saltwater Fishing Regulations, Subject 391-2-4. The proposed amended Rule, when adopted, will decrease the Red Drum daily creel limit from five (5) fish to three (3) and increase the slot size limit from 14 - 23 inches Total Length (TL) to 15 - 24 inches Total Length (TL).

Written public comments will be received through Tuesday, June 30, 2026. Mailed comments must be postmarked by June 30th, and e-mailed comments will be accepted through close of business (4:30 pm) on June 30th. Comments should be legible, concise, and limited to the proposed rule change.

Following this comment period, the Board of Natural Resources will consider the proposed rules on Tuesday, August 25, 2026, at 9:00 AM in the DNR Boardroom, 2 Martin Luther King, Jr. Drive, SE, Suite 1252 East, Atlanta, GA 30334.

Mail or email comments to: Kathy Knowlton
Coastal Resources Division
One Conservation Way
Brunswick, GA 31520
Email: kathy.knowlton@dnr.ga.gov

Additional information is available at www.coastalgadnr.org.

**BACKGROUND AND SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 391-2
COASTAL RESOURCES**

**SUBJECT 391-2-4
SALTWATER FISHING REGULATIONS**

Background

The Red Drum, *Sciaenops ocellatus*, is the state saltwater fish of Georgia and one of the most popular saltwater angling species in the state. Red Drum are long-lived and have a complex life history. They spawn near the mouths of estuaries, and their larvae are transported into the estuaries and creeks where they spend the next 2-3 years before migrating to the nearshore ocean. Adult Red Drum spend most of their adult life in the ocean and return to estuaries to spawn. Red Drum can live to be over 60 years old and grow to more than 90 pounds. Males mature between ages 1-4 and females between 3-6. Red Drum use a variety of habitats and are exposed to a range of threats and fishing pressures throughout their lifetime.

A regional Benchmark Stock Assessment for Red Drum was completed, with the participation of the Coastal Resources Division (CRD) by the Atlantic States Marine Fisheries Commission (ASMFC) in 2024. Red Drum are currently managed using a biological index known as Spawning Potential Ratio (SPR). It measures the reproductive capacity of a fish population based on the condition of the fished stock versus that of a stock that is unfished. Red Drum are managed with a minimum 30% SPR, and target of 40% SPR, where a higher SPR percentage means more reproductive capacity. The assessment determined that the Southern Stock of Red Drum, consisting of fish in Georgia, South Carolina, and Florida, was below the 30% SPR and were therefore overfished and experiencing overfishing. Overfished means that a fish stock is depleted to a level where its ability to replenish itself has been compromised, while overfishing means that fish are harvested faster than they can reproduce. Often, successive years of overfishing will lead to a population being overfished. Based on the assessment's stock status determination, states must change fishing regulations to end overfishing and eventually allow the stock to return to a status where it is no longer overfished.

The ASFMC's primary purpose is to sustainably manage, and conserve, shared nearshore migratory fish species along the U.S. Atlantic coast. Established in 1942, it provides a deliberative forum for 15 member states to develop interstate fishery management plans (FMP), promoting cooperative management, scientific research, and habitat protection over state-specific regulations. As a member since its inception, Georgia is obligated to adhere to ASFMC's fishery management plans per the Atlantic Coastal Fisheries Conservation and Management Act (Pub. L. No. 103-206, 107 Stat. 2424 (1993)).

Reductions in harvest should be viewed in terms of reducing fishing mortality (F) that achieves a given SPR value such that listed F and SPR values reference the same percentage e.g. F40% = 40% SPR, and so forth. Reductions in F are achieved by reducing harvest, or the number of fish kept by anglers. Based on the stock assessment projections, it was estimated that each state in the Southern Stock would need to reduce fishing mortality (harvest and discard mortality) by a minimum of 14.4% for the stock to begin to recover. This estimated reduction would achieve F30% or 30% SPR.

Saltwater fishing has been increasing steadily in Georgia, which may be impacting the availability of fish to anglers. In the last 10 years, the estimated number of angler trips in Georgia state waters (i.e., rivers and sounds) has increased over 40% (as measured by NOAA Fisheries' Marine Recreational Information Program). This increase is statistically significant, and likely to continue.

In December 2025 potential regulation options were presented to the CRD Finfish Advisory Panel, and based on their input, five options exceeding the minimum reduction level required by the FMP were selected for further public input. In February 2026, the options were presented at town hall meetings in Brunswick and Richmond Hill where background information was provided along with a Q/A session to more than 100 attendees. Also, relevant information and the options were presented via CRD's website and opinions were gathered through an online survey open to the public from February 25, 2026, through March 12, 2026. The online survey was completed by 760 participants, 665 identifying themselves as recreational anglers. The survey contained three required questions and is summarized below.

Question One addressed daily creel and slot limits. "Daily Creel" refers to maximum number of fish that can be harvested by one person per day and "slot limit" refers to a minimum and maximum Total Length (TL) in inches that may be harvested. Each of the options presented to the public for consideration would achieve the minimum level of reduction needed. The results in descending order were: 33.5% of respondents preferred four (4) fish with a 16 - 25 inch slot (F40%), while 22.9% preferred two (2) fish and a 15 - 24 inch slot (F40%), 22.5% preferred three (3) fish and a 16 - 25 inch slot (F40%), 15.4% preferred three (3) fish and a 15 - 24 inch slot (F35%) and 5.7% preferred two (2) fish and a 14 - 23 inches (F35%).

Question Two considered vessel limits. Seventy-one percent (71%) of respondents favored limiting the maximum number of fish that can be kept on board a vessel, no matter the number of anglers.

Question Three considered captain and crew retention. Sixty-eight percent (68%) of respondents felt that the captain and crew should not be allowed to keep a creel limit of Red Drum while charter fishing.

Feedback to question one from the meetings, the online survey, and the General Assembly, did not provide an overwhelmingly clear choice, although the general sentiment agreed with a reduced creel limit and larger slot size. CRD therefore recommends the following regulation changes to reduce fishing mortality in compliance with the ASMFC Red Drum FMP:

- 1) Decrease the Red Drum daily creel limit from five (5) fish to three (3): Although the current creel limit is five fish, most anglers on private and charter trips harvest three or fewer Red Drum per trip. Most angler trips would not be significantly impacted by this change; and
- 2) Increase the slot size limit from 14 - 23 inches Total Length (TL) to 15 - 24 inches Total Length (TL): Raising the minimum size of the slot limit by one inch better protects smaller Red Drum that are harvested in higher proportion than other sizes by anglers. Also increasing the upper end of the slot by one inch maintains the current slot width and is expected to partially offset some of the harvest lost from fish at smaller sizes.

Reducing the daily creel limit and adjusting the slot limit will better protect immature Red Drum which are vulnerable to fishing mortality and reduce the risk of localized overfishing. Data suggest that smaller Red Drum are more readily harvested by anglers while larger fish, due to fish behavior and angler preference, may be less apt to be kept. CRD's proposed regulations, reducing to three (3) fish while sliding the slot up one (1) inch reduces harvest by 22.5% and achieves F35%. The proposed regulations are compliant with the ASMFC Red Drum FMP, and this slightly more conservative approach proposed here seeks a compromise between the minimum requirement and varying public opinion. The proposed amended rule also does not seek vessel limits or captain restrictions. These changes would have affected F by minor degrees and were viewed as introducing unnecessary regulations that could be achieved by creel and size changes alone.

Purpose

The purpose of the proposed amended rule is to implement necessary management changes required by the ASMFC Red Drum Fishery Management Plan. This proposed amendment to Subject 391-2-4, Saltwater Fishing Regulations, decreases the Red Drum daily creel limit from five (5) to three (3) fish and adjusts the slot size up one-inch from 14 - 23 inches Total Length (TL) to 15 - 24 inches Total Length (TL), providing a conservative harvest reduction of 22.5%, slightly more than the 14.4% minimum.

Main Features

The primary feature of the proposed amendment is to decrease the Red Drum daily creel limit to three (3) fish and adjust the slot size to 15 - 24 inches Total Length (TL).

Differences

The primary differences between the current Rule 391-2-4-.04 (3)(m) and the proposed amended Rule 391-2-4-.04 (3)(m):

1. Daily Creel and Possession Limit of "Red Drum" reduced from "5" to "3";
2. Minimum Size (inches) increased from "14 TL" to "15 TL"; and
3. Maximum Size (inches) increased from "23 TL to "24 TL"

Date, Time, and Place of Board Action

Board Action: Tuesday, August 25, 2026, at 9:00 AM in the DNR Boardroom, 2 Martin Luther King, Jr. Drive, SE, Suite 1252 East, Atlanta, GA 30334.

Targeted Public Participation Plan
Amendments to Saltwater Fishing Regulations, Rule 391-2-4-.04

Subject 391-2-4-.04, Saltwater Finfishing. A targeted participation plan was chosen as the universe of affected persons is coast wide.

- September 24, 2025 - ASMFC GA Public Hearing on Red Drum Draft Addendum II.
- October 30, 2025 - ASMFC's Sciaenids Board approved Addendum II.
- December 3, 2025, through February 6, 2026 - CRD discussed preliminary options with the Finfish Advisory Panel.
- February 25 and 26, 2026 - Public Town Hall meetings conducted in Brunswick (including virtual option) and Richmond Hill, respectively.
- February 25 through March 12 - Public Opinion Survey open for public input.
- May 18, 2026 - CRD presents proposed amended Rule 391-2-4-.04 to the Board of Natural Resources, Coastal Committee.
- May 20, 2026 - Public Notice of the Proposed Rule is advertised through various print media, GovDelivery and on the CRD website. Additionally, the notice will be mailed to all persons who have requested in writing that they be placed on a mailing list which shall be maintained by the agency for advance notice of its rule-making proceedings and who have tendered the actual cost of such mailing as from time to time estimated by the agency.
- June 30, 2026 - Public comment period closes.
- August 25, 2026 - Consideration of public comment and final action on proposed amended rule.
- Assuming affirmative vote, amended rule filed with the Secretary of State such that the rule becomes effective on January 1, 2027.



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

May 4, 2026

MEMORANDUM

TO: Board of Natural Resources

FROM: Doug Haymans

SUBJECT: Economic Impact of Proposed Amended Rule on Small Businesses:
Subject 391-2-4, Saltwater Fishing Regulations

The Administrative Procedure Act requires that during the formation and adoption of any rules, attempts should be made to reduce the economic impact of those rules on small businesses. This applies to businesses that are independently owned and operated, are not dominant in the field and employ 100 employees or less.

The proposal to decrease the Red Drum daily creel limit to three (3) fish and change the slot size limit to 15 - 24 inches Total Length (TL) should have minimal impact on small businesses. If anything, the net long-term consequence should be positive for the sportfishing industry and charter guides.

DH/kk

**STRIKETHROUGH VERSION
ADDITIONS ARE UNDERLINED AND DELETIONS ARE
~~STRIKETHROUGH~~**

**RULES
OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 391-2
COASTAL RESOURCES**

**SUBJECT 391-2-4
SALTWATER FISHING REGULATIONS**

391-2-4-.04 Saltwater Finfishing

(1) **Purpose.** The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the seasons, methods of fishing, and disposition; size, possession, and creel limits; and gear and landing specifications for certain finfish.

(2) **Definitions.**

(a) "Billfish" means Blue Marlin (*Makaira nigricans*), White Marlin (*Tetrapturus albidus*) and Sailfish (*Istiophorus albicans*).

(b) "Daily creel limit" means the lawful amount of a species of finfish that a person may take in one day or possess at any one-time, except at one's place of abode or at a commercial storage facility provided the Board has not prohibited sale of that species.

(c) "Hammerhead Sharks" means a group of sharks inclusive of Great Hammerhead (*Sphyrna mokarran*), Scalloped Hammerhead (*Sphyrna lewini*) and Smooth Hammerhead (*Sphyrna zygaena*).

(d) "Handline" means a mainline to which no more than two hooks are attached and which is retrieved by hand without the aid of mechanical devices.

(e) "Landed" means to bring fish to shore in this state, regardless of the jurisdiction from which they were taken or harvested.

(f) "Minimum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, below which size it is unlawful to possess that finfish species.

(g) "Maximum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, above which size it is unlawful to possess that finfish species.

(h) "Open Season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

(i) "Prohibited Sharks" means a group of sharks inclusive of sand tiger (*Carchariastaurus*), sandbar shark (*Carcharhinus plumbeus*), silky shark (*Carcharhinus falciformis*), bigeye sandtiger (*Odontaspis noronhai*), whale shark (*Rhincodon typus*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), dusky shark (*Carcharhinus obscurus*), bignose shark (*Carcharhinus altimus*), Galapagos shark (*Carcharhinus galapagensis*), night shark (*Carcharhinus signatus*), reef shark (*Carcharhinus perezii*), narrowtooth shark (*Carcharhinus brachyurus*), Caribbean sharpnose shark (*Rhizoprionodon porosus*), smalltail shark (*Carcharhinus porosus*), Atlantic angel shark (*Squatina dumeril*), longfin mako (*Isurus paucus*), bigeye thresher (*Alopias superciliosus*), sharpnose sevengill shark (*Heptranchias perlo*), bluntnose sixgill shark (*Hexanchus griseus*), bigeye sixgill

shark (*Hexanchus nakamurai*), and oceanic whitetip shark (*Carcharhinus longimanus*).

(j) "Sharks" means all species of sharks other than those comprising the small shark composite as defined in subparagraph 2(k), hammerhead sharks as defined in subparagraph 2(c), prohibited sharks as defined in subparagraph 2(i), and individual species regulated by this rule.

(k) "Small Shark Composite" means a group of sharks inclusive of Atlantic sharpnose shark (*Rhizoprionodon terraenovae*), bonnethead (*Sphyrna tiburo*), and spiny dogfish (*Squalus acanthias*).

(3) Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits. The following species may be taken in accordance with the seasons, daily creel and possession limits, and minimum and maximum size limits set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(a) Amberjack	All Year	1	28 FL	
(b) Atlantic Croaker	All Year	25		
(c) Atlantic Sturgeon	No Open Season has been established by the Board of Natural Resources.			
(d) Black Drum	All Year	15	14 TL	
(e) Black Sea Bass	All Year	15	12 TL	
(f) Reserved				
(g) Bluefish	All Year	15	12 FL	
(h) Cobia	March 1 – October 31	1 per person not to exceed 6 per boat	36 FL	

(i) Dolphin	All Year	10 per person not to exceed 54 per boat.	20 FL	
1. Headboats with a valid certificate of inspection are allowed 10 dolphin per paying passenger.				
(j) Flounder (<i>Paralichthys spp.</i>)	All Year	15	12 TL	
(k) Gag Grouper	All Year	2	24 TL	
(l) King Mackerel	All Year	3	24 FL	
(m) Red Drum	All Year	5 ₃	14 TL <u>15 TL</u>	23 TL <u>24 TL</u>
(n) Red Porgy	All Year	3	14 TL	
(o) Red Snapper	All Year	2	20 TL	
(p) Reserved				
(q) Prohibited Sharks	Unlawful to possess.			
(r) Sharks				
(r.1.) Small Shark Composite	All Year	1	30 FL	
(r.2.) Sharks			54 FL	
(r.3.) Hammerhead Sharks			78 FL	
(r.4.) Shortfin Mako Shark	When Federal Quota is Available	1 per person or boat	83 FL	
(s) Sheepshead	All Year	15	10 FL	
(t) Reserved				
(u) Spanish Mackerel	All Year	15	12 FL	
1. A catch of Spanish mackerel under the minimum size limit is allowed equal to five percent by weight of the total catch of Spanish mackerel on board a trawler.				
(v) Spot	All Year	25		

Saltwater Fishing Regulations

Subject 391-2-4

(w) Spotted Seatrout	All Year	15	14 TL	
(x) Tarpon	All Year	1	68 FL	
(y) Tripletail	All Year	2	18 TL	
(z) Weakfish	All Year	1	13 TL	
(aa) Reserved				
(bb) American Eel	All Year	25	9 TL	

(4) Restrictions on Sale. It shall be unlawful for any person in this state to sell, purchase, or barter any of the following species or part thereof, except as otherwise specifically provided herein:

(a) No person operating as a dealer may buy or sell sharks, small shark composite species, hammerhead sharks, and Shortfin Mako Sharks caught in state waters without first obtaining a federal Commercial Shark Dealer Permit and when state or federal quotas for species within those groups have been reached.

(b) Tarpon.

(c) No person may sell any fish managed under federal law and harvested from either Georgia waters or the South Atlantic Exclusive Economic Zone except when the catch of such fish is allowed by applicable federal law. This prohibition of sale does not apply to fish harvested, landed, and sold in compliance with applicable federal law and held in cold storage by a seafood dealer or processor. This prohibition also does not apply to a seafood dealer's purchase or sale of fish harvested from waters other than those of Georgia or the South Atlantic Exclusive Economic Zone, provided such fish is accompanied by documentation of legal harvest.

(d) Reserved

(e) Reserved

(5) Possession and Landing Specifications.

(a) All fish subject to restrictions specified in this Rule may be possessed in state waters or landed only with head and fins intact, except that when landed for commercial purposes, all sharks, small shark composite species, hammerhead sharks, and Shortfin Mako Sharks may have the heads removed but fins and tail must remain naturally attached.

(b) It shall be unlawful to transfer at sea in State waters from a fishing vessel to any other vessel or person any fish caught which are subject to the restrictions specified in this Rule.

(c) Except as otherwise provided by law, it shall be unlawful to fish for sharks, small shark composite species, hammerhead sharks, or Shortfin Mako Sharks for recreational purposes with any gear other than rod and reel or handline as defined in subparagraph (2)(d) above. Additionally, anglers must use non-offset, corrodible, non-stainless-steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures.

(d) Except as otherwise provided by law, trawlers fishing for shrimp for human consumption pursuant to Code Section 27-4-133 shall be exempt from the creel and possession limits for spot and Atlantic croaker.

(e) Except as otherwise specifically provided herein, in state waters the size, catch, creel and possession limits, fishing period closures, and requirements pertaining to the taking, release, landing, sale, purchase, trade, or barter of billfish shall be prescribed by federal regulations implemented under the Fishery Conservation and Management Act (PL 94-265) and the Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

Authority: O.C.G.A. §§ 12-2-24, 27-1-4, 27-4-10.

EXACT COPY

**RULES
OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 391-2
COASTAL RESOURCES**

**SUBJECT 391-2-4
SALTWATER FISHING REGULATIONS**

391-2-4-.04 Saltwater Finfishing

(1) **Purpose.** The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the seasons, methods of fishing, and disposition; size, possession, and creel limits; and gear and landing specifications for certain finfish.

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(b) "Daily creel limit" means the lawful amount of a species of finfish that a person may take in one day or possess at any one-time, except at one's place of abode or at a commercial storage facility provided the Board has not prohibited sale of that species.

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(d) "Handline" means a mainline to which no more than two hooks are attached and which is retrieved by hand without the aid of mechanical devices.

(e) "Landed" means to bring fish to shore in this state, regardless of the jurisdiction from which they were taken or harvested.

(f) "Minimum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, below which size it is unlawful to possess that finfish species.

(g) "Maximum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, above which size it is unlawful to possess that finfish species.

(h) "Open Season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

(i) "Prohibited Sharks" means a group of sharks inclusive of sand tiger (*Carcharia staurus*), sandbar shark (*Carcharhinus plumbeus*), silky shark (*Carcharhinus falciformis*), bigeye sandtiger (*Odontaspis noronhai*), whale shark (*Rhincodon typus*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), dusky shark (*Carcharhinus obscurus*), bignose shark (*Carcharhinus altimus*), Galapagos shark (*Carcharhinus galapagensis*), night shark (*Carcharhinus signatus*), reef shark (*Carcharhinus perezii*), narrowtooth shark (*Carcharhinus brachyurus*), Caribbean sharpnose shark (*Rhizoprionodon porosus*), smalltail shark (*Carcharhinus porosus*), Atlantic angel shark (*Squatina dumeril*), longfin mako (*Isurus paucus*), bigeye thresher (*Alopias superciliosus*), sharpnose sevengill shark (*Heptanchias perlo*), bluntnose sixgill shark (*Hexanchus griseus*), bigeye sixgill shark (*Hexanchus nakamurai*), and oceanic whitetip shark (*Carcharhinus longimanus*).

Saltwater Fishing Regulations

Subject 391-2-4

(j) "Sharks" means all species of sharks other than those comprising the small shark composite as defined in subparagraph 2(k), hammerhead sharks as defined in subparagraph 2(c), prohibited sharks as defined in subparagraph 2(i), and individual species regulated by this rule.

(k) "Small Shark Composite" means a group of sharks inclusive of Atlantic sharpnose shark (*Rhizoprionodon terraenovae*), bonnethead (*Sphyrna tiburo*), and spiny dogfish (*Squalus acanthias*).

(3) Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits. The following species may be taken in accordance with the seasons, daily creel and possession limits, and minimum and maximum size limits set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(a) Amberjack	All Year	1	28 FL	
(b) Atlantic Croaker	All Year	25		
(c) Atlantic Sturgeon	No Open Season has been established by the Board of Natural Resources.			
(d) Black Drum	All Year	15	14 TL	
(e) Black Sea Bass	All Year	15	12 TL	
(f) Reserved				
(g) Bluefish	All Year	15	12 FL	
(h) Cobia	March 1 – October 31	1 per person not to exceed 6 per boat	36 FL	
(i) Dolphin	All Year	10 per person not to exceed 54 per boat.	20 FL	

1. Headboats with a valid certificate of inspection are allowed 10 dolphin per paying passenger.				
(j) Flounder (<i>Paralichthys spp.</i>)	All Year	15	12 TL	
(k) Gag Grouper	All Year	2	24 TL	
(l) King Mackerel	All Year	3	24 FL	
(m) Red Drum	All Year	3	15 TL	24 TL
(n) Red Porgy	All Year	3	14 TL	
(o) Red Snapper	All Year	2	20 TL	
(p) Reserved				
(q) Prohibited Sharks	Unlawful to possess.			
(r) Sharks				
(r.1.) Small Shark Composite	All Year	1	30 FL	
(r.2.) Sharks		1 per person or boat	54 FL	
(r.3.) Hammerhead Sharks			78 FL	
(r.4.) Shortfin Mako Shark	When Federal Quota is Available		83 FL	
(s) Sheepshead	All Year	15	10 FL	
(t) Reserved				
(u) Spanish Mackerel	All Year	15	12 FL	
1. A catch of Spanish mackerel under the minimum size limit is allowed equal to five percent by weight of the total catch of Spanish mackerel on board a trawler.				
(v) Spot	All Year	25		
(w) Spotted Seatrout	All Year	15	14 TL	
(x) Tarpon	All Year	1	68 FL	
(y) Tripletail	All Year	2	18 TL	
(z) Weakfish	All Year	1	13 TL	

(aa) Reserved				
(bb) American Eel	All Year	25	9 TL	

(4) Restrictions on Sale. It shall be unlawful for any person in this state to sell, purchase, or barter any of the following species or part thereof, except as otherwise specifically provided herein:

(a) No person operating as a dealer may buy or sell sharks, small shark composite species, hammerhead sharks, and Shortfin Mako Sharks caught in state waters without first obtaining a federal Commercial Shark Dealer Permit and when state or federal quotas for species within those groups have been reached.

(b) Tarpon.

(c) No person may sell any fish managed under federal law and harvested from either Georgia waters or the South Atlantic Exclusive Economic Zone except when the catch of such fish is allowed by applicable federal law. This prohibition of sale does not apply to fish harvested, landed, and sold in compliance with applicable federal law and held in cold storage by a seafood dealer or processor. This prohibition also does not apply to a seafood dealer's purchase or sale of fish harvested from waters other than those of Georgia or the South Atlantic Exclusive Economic Zone, provided such fish is accompanied by documentation of legal harvest.

(d) Reserved

(e) Reserved

(5) Possession and Landing Specifications.

(a) All fish subject to restrictions specified in this Rule may be possessed in state waters or landed only with head and fins intact, except that when landed for commercial purposes, all sharks, small shark composite species, hammerhead sharks, and Shortfin Mako Sharks may have the heads removed but fins and tail must remain naturally attached.

(b) It shall be unlawful to transfer at sea in State waters from a fishing vessel to any other vessel or person any fish caught which are subject to the restrictions specified in this Rule.

(c) Except as otherwise provided by law, it shall be unlawful to fish for sharks, small shark composite species, hammerhead sharks, or Shortfin Mako Sharks for recreational purposes with any gear other than rod and reel or handline as defined in subparagraph (2)(d) above. Additionally, anglers must use non-offset, corrodible, non-stainless-steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures.

(d) Except as otherwise provided by law, trawlers fishing for shrimp for human consumption pursuant to Code Section 27-4-133 shall be exempt from the creel and possession limits for spot and Atlantic croaker.

(e) Except as otherwise specifically provided herein, in state waters the size, catch, creel and possession limits, fishing period closures, and requirements pertaining to the taking, release, landing, sale, purchase, trade, or barter of billfish shall be prescribed by federal regulations implemented under the Fishery Conservation and Management Act (PL 94-265) and the Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

Authority: O.C.G.A. §§ 12-2-24, 27-1-4, 27-4-10.

May 7, 2026

MEMORANDUM

TO: Board of Natural Resources

FROM: Jeffrey W. Cown, Director
Environmental Protection Division

SUBJECT: Action on Proposed Amendments to the Rules for Air Quality Control,
Subject 391-3-1

JWC

I request the Board's consideration of the following rule revisions:

Rules for Air Quality Control, Subject 391-3-1

Rule 391-3-1-.02(2)(vv), "Volatile Organic Liquid Handling and Storage," is being revised to add a definition and correct typographical errors.

Subparagraph (b), "Sulfur Dioxide," of Rule 391-3-1-.02(4), "Ambient Air Standards," is being revised to add the 2024 annual ambient air quality secondary standards for oxides of sulfur (SO₂) into the Georgia Rules.

Rule 391-3-1-.02(8), "New Source Performance Standards," is being revised to adopt the Federal Performance Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Rule 391-3-1-.02(9), "Emission Standards for Hazardous Air Pollutants," is being revised to adopt the Federal Emission Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Rule 391-3-1-.03(6)(b), "Combustion Equipment," is being revised to add language for clarity and to correct a typographical error.

Rule 391-3-1-.03(9), "Permit Fees," is being revised to specify the dollar-per-ton rate, reference the "Procedures for Calculating Air Permit Application & Annual Permit Fees" (Fee Manual) for state fiscal year 2027 fees, and to update nomenclature.

Memorandum
Board of Natural Resources
May 7, 2026

Please find enclosed for your review and consideration:

	Page No.
➤ Synopsis and Statement of Rationale for the proposed amendments to Rules for Air Quality Control;	A-3
➤ Notice of Public Hearing issued March 24, 2026;	A-7
➤ Memorandum summarizing comments on the proposed revisions;	A-10
➤ Memorandum regarding the economic impacts of the proposed amendments on small businesses and the regulated community; and	A-12
➤ A proposed resolution for adopting the amendments to the rules.	A-14

The lengthy ~~strikeout~~/underline copy of the proposed amendments and a copy of the Permit Fee Manual have been provided electronically to conserve paper and postage; we will promptly provide a hard copy by mail for your review prior to the May meeting if that is your preference.

I recommend adoption of the proposed amendments as presented.

JWC:db

Attachments

**SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
AIR QUALITY CONTROL, SUBJECT 391-3-1**

Rule 391-3-1-.02(2)(vv), “Volatile Organic Liquid Handling and Storage,” is being amended.

Purpose: This rule is being revised to add a definition and correct typographical errors.

Main Features: Subparagraph (2)(vv)1. is being revised to change “section” to “subparagraph”, “subsection” to “subparagraph”, and “subsections” to “subparagraphs”. Subparagraph (2)(vv)2. is being revised to change “subsection” to “subparagraph”. Subparagraph (2)(vv)2.(iii) is being added to include the definition “Volatile Organic Liquid (VOL)”. Subparagraphs (2)(vv)3.(ii), (2)(vv)3.(iii), and 2(vv)3.(iv) are being revised to change “subsection” to “subparagraph”.

Subparagraph (b), “Sulfur Dioxide,” of Rule 391-3-1-.02(4)(b), “Ambient Air Standards,” is being amended.

Purpose: This rule is being revised to add the 2024 annual ambient air quality secondary standards for oxides of sulfur (SO₂) into the Georgia Rules.

Main Features: To be consistent with the Federal Standards, subparagraphs (4)(b)3., (4)(b)3.(i), and (4)(b)3.(ii) are being added.

Rule 391-3-1-.02(8), “New Source Performance Standards,” is being amended.

Purpose: This rule is being revised to adopt the Federal Performance Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Main Features: Subparagraphs (8)(b)1. for General Provisions; (8)(b)75. for Commercial and Industrial Solid Waste Incineration Units; (8)(b)76. 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; (8)(b)84. for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015; and (8)(b)90. for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015 and On or Before December 6, 2022, are being revised to reflect the latest titles and amendment dates of the incorporated Federal

rules.

Subparagraph (8)(b)102. for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022, is being added.

Rule 391-3-1-.02(9), “Emission Standards for Hazardous Air Pollutants,” is being amended.

Purpose: This rule is being revised to adopt the Federal Emission Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Main Features: Subparagraphs (9)(b)15. for General Provisions; (9)(b)26. for Coke Oven Batteries; (9)(b)82. for Hazardous Air Pollutants for Source Categories: Polyether Polyols Production; (9)(b)121. for Coke Ovens: Pushing, Quenching, and Battery Stacks; and (9)(b)124. for Integrated Iron and Steel Manufacturing Facilities are being revised to reflect the latest titles and amendment dates of the incorporated Federal rules.

Rule 391-3-1-.03(6)(b), “Combustion Equipment,” is being amended.

Purpose: This rule is being revised to add additional language for clarity and to correct a typographical error.

Main Features: Subparagraphs (6)(b)1., (6)(b)2., (6)(b)3., (6)(b)10.(i), (6)(b)10.(ii), and (6)(b)10.(iii) are being revised to add “per unit”. Subparagraph (6)(b)11.(v) is being revised to change “subsection” to “subparagraph”.

Rule 391-3-1-.03(9), “Permit Fees,” is being amended.

Purpose: The Permit Fee provision is being revised to specify the dollar-per-ton rate, reference the “Procedures for Calculating Air Permit Application & Annual Permit Fees” (Fee Manual) for state fiscal year 2027 fees, and to update nomenclature.

Main Features: A dollar-per-ton rate and the reference to the Fee Manual for calendar year 2025 fees are being added to subparagraph (9)(b). The dollar-per-ton rates remain the same as the previous year at \$45.37/ton for coal-fired electric generating units and \$43.13/ton for all other sources. Subparagraphs (9)(e) and (9)(f) are being revised to replace the word “Chapter” with “Subject” to reflect the Secretary of State’s naming convention.

STATEMENT OF RATIONALE
Rules for Air Quality Control

Rule 391-3-1-.02(2)(vv) – Volatile Organic Liquid Handling and Storage.

The basis of this rule is to specify requirements for organic liquid handling and storage facilities. The purpose of this revision is to add a definition and to correct typographical errors.

Rule 391-3-1-.02(4) – Ambient Air Standards.

The basis of this rule is to adopt ambient air standards for Georgia that are consistent with the National Ambient Air Quality Standards. The purpose of this revision is to include the 2024 annual ambient air quality secondary standards for oxides of sulfur (SO₂) into the Georgia rules.

Rule 391-3-1-.02(8) – New Source Performance Standards.

The basis of this rule is to adopt the Federal New Source Performance Standards (NSPS) by reference. The purpose of this revision is to include the latest amendment dates and all associated changes into the Georgia rules.

Rule 391-3-1-.02(9) – Emission Standards for Hazardous Air Pollutants.

The basis of this rule is to adopt the National Emission Standards for Hazardous Air Pollutants (NESHAP) by reference. The purpose of this revision is to include the latest amendment dates and all associated changes into the Georgia rules.

Rule 391-3-1-.03(6)(b) – Combustion Equipment.

The basis of this rule is to provide a list of combustion equipment categories that are exempt from SIP permitting. The purpose of this revision is to add additional language for clarity and to correct a typographical error.

The proposed rule revisions listed above are required to comply with federal requirements or are administrative in nature. They are in no way any more restrictive than the federal requirements. They do not incur any additional costs to the regulated industry, local government, or public other than those required to meet the federal rule.

Rule 391-3-1-.03(9) – Permit Fees.

The basis of this rule is to specify the permit fee rate; the procedures for determining, reporting, and submitting permit fees; and other permit fee-related requirements.

The purpose of this revision is to specify the dollar-per-ton permit fee rate, reference a new Fee Manual for state fiscal year 2027 permit fees, and to update nomenclature. Annual emissions fees based on emissions from calendar year 2025 will be due beginning September 1, 2026, and will

fund state fiscal year 2027 permit-related activities. The annual maintenance fee for Title V sources will be collected September 1, 2026.

Annual permit fee rates and thresholds remain unchanged. Costs to the regulated community should be similar to the previous year. This rule does not directly impact the public.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

**NOTICE OF PUBLIC HEARING AND PROPOSED AMENDMENTS
TO GEORGIA'S RULES FOR AIR QUALITY CONTROL
SUBJECT 391-3-1**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, the Environmental Protection Division (hereinafter, "EPD") of the Georgia Department of Natural Resources proposes Amendments to Georgia's Rules for Air Quality Control, Subject 391-3-1 (hereinafter, "the proposed Air Rule Amendments"). The Director of EPD certifies that the amendments to rule 391-3-1-.02 are required to comply with Sections 110(a), 111(c)(1), and 112(l) of the Federal Clean Air Act (CAA) and to exercise authority approved and/or delegated by the U.S. Environmental Protection Agency to implement Section 110 of the CAA, and the amendments to rule 391-3-1-.03 are required to comply with Sections 161, 172, and 502(b)(3) of the CAA. The proposed Air Rule Amendments are described below:

Rule 391-3-1-.02(2)(vv), "Volatile Organic Liquid Handling and Storage," is being revised to add a definition and correct typographical errors. Rule 391-3-1-.02(2)(vv) will be submitted as a State Implementation Plan (SIP) revision to EPA.

Subparagraph (b), "Sulfur Dioxide," of Rule 391-3-1-.02(4), "Ambient Air Standards," is being revised to add the 2024 annual ambient air quality secondary standards for oxides of sulfur (SO₂) into the Georgia Rules. Rule 391-3-1-.02(4)(b) will be submitted as a SIP revision to EPA.

Rule 391-3-1-.02(8), "New Source Performance Standards," is being revised to adopt the Federal Performance Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Rule 391-3-1-.02(9), "Emission Standards for Hazardous Air Pollutants," is being revised to adopt the Federal Emission Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Rule 391-3-1-.03(6)(b), "Combustion Equipment," is being revised to add additional language for clarity and to correct a typographical error. With the exception of 391-3-1-.03(6)(b)16., rule 391-3-1-.03(6)(b) will be submitted as a SIP revision to EPA.

Rule 391-3-1-.03(9), "Permit Fees," is being revised to specify the dollar-per-ton rate, reference the "Procedures for Calculating Air Permit Application & Annual Permit Fees" (Fee Manual) for state fiscal year 2027 fees, and to update nomenclature. Rule 391-3-1-.03(9) will be submitted as a Part 70 Permit Program revision to EPA.

This notice, together with an exact copy of the proposed Air Rule Amendments, a synopsis, and a

statement of rationale of the rule revisions, is being provided to all persons who have requested in writing that they be placed on a notification list. These documents may be viewed at <https://epd.georgia.gov/subject-391-3-1-air-quality-control> or by appointment only at the Georgia Environmental Protection Division, Air Protection Branch, 4244 International Parkway, Suite 104, Atlanta, Georgia 30354. To set an appointment, email askepd@dnr.ga.gov with your name, email and phone number and an associate will reach out to you. Copies may also be requested by contacting Elisabeth Munsey, Elisabeth.Munsey@dnr.ga.gov, Anna Aponte, Anna.Aponte1@dnr.ga.gov, or the Environmental Protection Division Director's Office at askepd@dnr.ga.gov.

To provide the public an opportunity to comment upon and provide input into the proposed Air Rule Amendments, a public hearing will be held at 11:00 a.m. on April 24, 2026. EPD will be hosting this public hearing via Zoom. Zoom is a free web conferencing platform that also allows participation by phone.

To log into the public hearing on your computer, please click this link or copy and paste it into your browser to join the meeting:

<https://gaepd.zoom.us/j/96273415819?pwd=sVvamSlhgar4ftX81Onr8qKDXJRYsJ.1>

To ensure that you are ready to participate when the meeting begins, we recommend that you download Zoom in advance. Zoom can be found here: <https://zoom.us>

To dial in by phone, please call this number: 888-788-0099 (Toll free). When prompted, enter the Meeting ID and/or Passcode shown below.

The meeting ID is 962 7341 5819

Passcode: 563181

Please note that if you choose to participate by phone, your phone number may be visible to other meeting attendees.

During the hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument either orally or in writing. Oral statements should be concise. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted in writing for the official record.

Written comments are welcomed. To ensure their inclusion in EPD's package for the Board of Natural Resources, written comments must be received by 4:30 PM on April 24, 2026. Written comments may be emailed to Air-General.Comments@dnr.ga.gov or sent via regular mail addressed to: Branch Chief, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia, 30354.

The proposed Air Rule Amendments will be considered for adoption by the Board of Natural Resources at its meeting at 9:00 a.m. on Tuesday, May 19, 2026. The meeting will be open to the public and held at the DNR Board Room located at 2 Martin Luther King Jr. Drive, SE, Suite 1252 East, Atlanta, GA 30334.

The proposed Air Rule Amendments are proposed for adoption pursuant to authority contained in the Georgia Air Quality Act (O.C.G.A. Section 12-9-1 et. seq.). For further information, contact Anna Aponte, (470) 251-2942 at the Air Protection Branch.

April 30, 2026

MEMORANDUM

To: Jeffrey W. Cown, Director
Environmental Protection Division

From: James Boylan, Chief
Air Protection Branch

Subject: Responses to Comments Received During the Public Comment Period Regarding
Proposed Revisions to the Rules for Air Quality Control, Subject 391-3-1

On March 24, 2026, EPD issued a public notice requesting comments on proposed revisions to the Georgia Rules for Air Quality Control, Subject 391-3-1. The proposed changes included the following rules:

- **Rule 391-3-1-.02(2)(vv), “Volatile Organic Liquid Handling and Storage,”** is being revised to add a definition and correct typographical errors.
- **Subparagraph (b), “Sulfur Dioxide,” of Rule 391-3-1-.02(4), “Ambient Air Standards,”** is being revised to add the 2024 annual ambient air quality secondary standards for oxides of sulfur (SO₂) into the Georgia Rules.
- **Rule 391-3-1-.02(8), “New Source Performance Standards,”** is being revised to adopt the Federal Performance Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.
- **Rule 391-3-1-.02(9), “Emission Standards for Hazardous Air Pollutants,”** is being revised to adopt the Federal Emission Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.
- **Rule 391-3-1-.03(6)(b), “Combustion Equipment,”** is being revised to add language for clarity and to correct a typographical error.
- **Rule 391-3-1-.03(9), “Permit Fees,”** is being revised to specify the dollar-per-ton rate, reference the “Procedures for Calculating Air Permit Application & Annual Permit Fees” (Fee Manual) for state fiscal year 2027 fees, and to update nomenclature.

A public hearing was held at 11:00 a.m. on April 24, 2026, via Zoom. Zoom is a free web conferencing platform that also allows participation by phone. The public comment period ended April 24, 2026. No comments were received for this rule revision.

JB:db

April 30, 2026

MEMORANDUM

TO: Jeffrey W. Cown, Director
Environmental Protection Division

FROM: James Boylan, Chief
Air Protection Branch

SUBJECT: Economic Impact of Proposed Amendments to the Rules for Air Quality Control,
Subject 391-3-1

The Administrative Procedures Act requires that in the formation and adoption of any rules which will have an economic impact on businesses in the State, the agency reduce the economic impact of the Rule on small businesses which are independently owned and operated and are not dominant in their field and employ 100 employees or less. The statute specifically requires that one or more of the following actions be implemented when it is legal and feasible in meeting the stated objectives of the statutes which are the basis of the proposed rule in reducing the economic impact. These four actions are:

- a. Establishing different requirements or reporting requirements or timetables for small businesses;
- b. Clarifying, consolidating or simplifying the compliance and reporting requirements under the rules for small businesses;
- c. Establishing performance rather than design standards for small businesses; or
- d. Exempting small businesses from any or all requirements of the rules.

The Georgia Environmental Protection Division (EPD) is proposing amendments to the Rules for Air Quality Control, Subject 391-3-1 (Air Rules). The proposed rule amendments include the following:

Rule 391-3-1-.02(2)(vv), “Volatile Organic Liquid Handling and Storage,” is being revised to add a definition and correct typographical errors.

Subparagraph (b), “Sulfur Dioxide,” of Rule 391-3-1-.02(4), “Ambient Air Standards,” is being revised to add the 2024 annual ambient air quality secondary standards for oxides of sulfur (SO₂) into the Georgia Rules.

Rule 391-3-1-.02(8), “New Source Performance Standards,” is being revised to adopt the Federal Performance Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Rule 391-3-1-.02(9), “Emission Standards for Hazardous Air Pollutants,” is being revised to adopt the Federal Emission Standards into the Georgia Rules by reference to ensure consistency between the State and Federal programs.

Rule 391-3-1-.03(6)(b), “Combustion Equipment,” is being revised to add language for clarity and to correct a typographical error.

Rule 391-3-1-.03(9), “Permit Fees,” is being revised to specify the dollar-per-ton rate, reference the “Procedures for Calculating Air Permit Application & Annual Permit Fees” (Fee Manual) for state fiscal year 2027 fees, and to update nomenclature.

In consideration of the four actions required in the State statute for the proposed changes to the Air Rules, we offer the following comments on the proposed rule amendments:

1. Different compliance or reporting requirements for small businesses:
This issue is not germane for the proposed rule changes.
2. Consolidate and/or simplify compliance or reporting requirements for small businesses:
This issue is not germane for the proposed rule changes.
3. Performance rather than design standards for small businesses:
This issue is not germane for the proposed rule changes.
4. Exemptions for small businesses:
This issue is not germane for the proposed rule changes.

In addition, the Administrative Procedures Act requires that “...in the formulation and adoption of any rule, an agency shall choose an alternative that does not impose excessive regulatory costs on any regulated person or entity which costs could be reduced by a less expensive alternative that fully accomplishes the stated objectives of the statutes, the basis of the proposed rule.”

The proposed rules are required to comply with federal requirements or are administrative in nature. The Permit Fees proposed rule specifies the annual emissions fee rate. It also specifies the procedures for determining, reporting, and submitting annual emission permit fees and the permit application fees as well as other permit fee-related requirements. Existing permit rules language allows small businesses to ask for an exemption from permit application fees due to financial hardship. Therefore, the proposed rules do not impose excessive regulatory costs on any regulated person or entity, which costs could be reduced by a less expensive alternative that fully accomplishes the stated objectives of the Georgia Air Quality Act.

A RESOLUTION

**Adopting Amendments to the
Rules for Air Quality Control, Subject 391-3-1**

WHEREAS, the Board adopted, under the authority of The Georgia Air Quality Act, O.C.G.A. 12-9-1, et seq., the Rules for Air Quality Control, Subject 391-3-1, which became effective on September 26, 1973, and were last amended effective on July 15, 2025; and

WHEREAS, the United States Environmental Protection Agency (EPA) requires that the various Rules for Air Quality Control, Subject 391-3-1, be modified, as to their coverage and requirements, in order for Georgia to retain Federal approval under the Clean Air Act (CAA); and

WHEREAS, the proposal for the amendments to the Rules for Air Quality Control, Subject 391-3-1, has been prepared by staff of the Environmental Protection Division and presented to this Board; and

WHEREAS, amendments to the Rules for Air Quality Control, Subject 391-3-1, will revise various portions of Rule 391-3-1-.02, “Provisions. Amended” and Rule 391-3-1-.03, “Permits. Amended”; and

WHEREAS, on March 24, 2026, a public notice for the proposed rule amendments was posted on EPD’s website and sent to individuals on EPD’s mailing list and to Govdelivery.com subscribers, which invited public comment, announced a public hearing to be held on April 24, 2026, and informed the public of the scheduled date for consideration of the proposed amendments by the Board; and

WHEREAS, no public comments were received in response to the notice or the hearing; and

WHEREAS, the impact of the adoption of these proposed rule amendments on small businesses in the State has been considered and found to be either minimal or if greater than minimal, unavoidable due to federal requirements and appropriately minimized; and

WHEREAS, the cost of adoption of the proposed rule amendments upon the regulated community has been considered and found not to impose excessive regulatory costs on any regulated person or entity which costs could be reduced by a less expensive alternative that fully accomplishes the stated objectives of the Georgia Air Quality Act.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Natural Resources hereby adopts the amendments to the Rules for Air Quality Control, Subject 391-3-1, as attached hereto and incorporated herein by reference.

Adopted this 19th day of May 2026.

Respectfully submitted by:

ATTEST:

Patrick Denney, Chairman
Georgia Board of Natural Resources

Dan Garcia, Secretary
Georgia Board of Natural Resources

PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
AIR QUALITY CONTROL, SUBJECT 391-3-1

The Rules of the Department of Natural Resources, Subject 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-.02(2)(vv), “Volatile Organic Liquid Handling and Storage,” is amended to read as follows:

(vv) Volatile Organic Liquid Handling and Storage.

1. After the compliance date specified in ~~subparagraphsection~~ 3. of this ~~subparagraphsection~~, no person subject to other VOC requirements contained in other ~~subparagraphsections~~ of this Rule may transfer or cause or allow the transfer of any volatile organic liquid other than gasoline from any delivery vessel into a stationary storage tank of greater than 4,000 gallons, unless the tank is equipped with submerged fill pipes.

2. For the purpose of this ~~subparagraphsection~~, the following definitions shall apply:

(i) “Delivery Vessel” means any tank truck or trailer equipped with a storage tank in use for the transport of volatile organic liquids from sources of supply to stationary storage tanks; and

(ii) “Submerged Fill Pipe” means any fill pipe with a discharge opening which is within six inches of the tank bottom.

(iii) “Volatile Organic Liquid (VOL)” means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.

3. Compliance Dates.

(i) All volatile organic liquid handling and storage facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All volatile organic liquid handling and storage facilities subject to this ~~subparagraphsection~~; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and in operation on or before October 1, 1999, shall be in compliance by May 1, 2003.

(iii) All volatile organic liquid handling and storage facilities subject to this subparagraph~~section~~; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and which begin initial operation after October 1, 1999, shall be in compliance upon startup.

(iv) All volatile organic liquid handling and storage facilities subject to this subparagraph~~section~~ and located in Barrow County shall be in compliance by March 1, 2009.

Subparagraph (b), “Sulfur Dioxide,” of Rule 391-3-1-.02(4), “Ambient Air Standards,” is amended to read as follows:

(b) Sulfur Dioxide.

1. The level of the 2010 1-hour ambient air quality primary standard for oxides of sulfur is 75 parts per billion (ppb), measured in the ambient air as sulfur dioxide (SO₂).

(i) The 1-hour primary standard is attained when the three-year average of the annual (99th percentile) of the daily maximum 1-hour average concentrations is less than or equal to 75 ppb, as determined in accordance with Appendix T of 40 CFR Part 50.

(ii) The level of the 2010 1-hour ambient air quality primary standard shall be measured by a reference method based on Appendix A or A-1 of 40 CFR Part 50, or by a Federal Equivalent Method (FEM) designated in accordance with 40 CFR Part 53.

2. The level of the 1971 3-hour ambient air quality secondary standard for oxides of sulfur for any successive nonoverlapping calendar day three-hour period starting at midnight each calendar day is 0.5 ppm, measured in the ambient air as sulfur dioxide (SO₂).

(i) The 3-hour secondary standard is attained when the second-highest 3-hour average, as determined in accordance with 40 CFR 50.5(c), is less than or equal to 0.5 ppm. The standard shall not be exceeded more than once per calendar year.

(ii) The level of the 1971 3-hour ambient air quality secondary standard shall be measured in the ambient air as sulfur dioxide by the reference method described in Appendix A of 40 CFR Part 50, or by a FEM designated in accordance with 40 CFR Part 53.

3. The level of the 2024 annual ambient air quality secondary standard for oxides of sulfur is 10 parts per billion (ppb), measured in the ambient air as sulfur dioxide (SO₂).

(i) The annual secondary standard is met when the 3-year average of the annual SO₂ concentration is less than or equal to 10 ppb, as determined in accordance with Appendix T of 40 CFR Part 50.

(ii) The level of the 2024 annual ambient air quality secondary standard shall be measured by a reference method based on Appendix A-1 and Appendix A-2 of 40 CFR Part 50, or by a Federal Equivalent Method (FEM) designated in accordance with 40 CFR Part 53.

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 subparagraph (b) of this paragraph.

(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 ~~October 15, 2024~~ June 30, 2025, 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 6, 2016, 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 July 27, 2015, is hereby incorporated and adopted by reference.
9. Standards of Performance for Nitric Acid Plants: 40 CFR Part 60 Subpart G, as amended 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 December 1, 2015, is hereby incorporated and adopted by reference.
13. Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978: 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 for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984: 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 (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023: 40 CFR Part 60 Subpart Kb, as amended October 15, 2024, is hereby incorporated and adopted by reference.
16. Standards of Performance for Secondary Lead Smelters for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and On or Before December 1, 2022: 40 CFR Part 60 Subpart L, as amended November 20, 2023, 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 August 19, 2015, 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 August 19, 2015, 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 August 19, 2015, 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 August 19, 2015, 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 August 19, 2015, 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 Constructed After October 21, 1974, and On or Before August 17, 1983: 40 CFR Part 60 Subpart AA, as amended February 14, 2024, 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, and On or Before May 16, 2022: 40 CFR Part 60 Subpart AAa, as amended February 14, 2024, 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 June 30, 2016, 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 for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022: 40 CFR Part 60 subpart KK, as amended February 23, 2023, 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 Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After October 5, 1979, and On or Before May 18, 2022: 40 CFR Part 60 Subpart MM, as amended May 9, 2023, 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 for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and On or Before November 7, 2006: 40 CFR Part 60 Subpart VV, as amended July 5, 2024, 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 That Commenced Construction, Modification, or Reconstruction After December 17, 1980, and On or Before June 10, 2022: 40 CFR Part 60 Subpart XX, as amended May 8, 2024, is hereby incorporated and adopted by reference.
53. Standards of Performance for Rubber Tire Manufacturing Industry: 40 CFR Part 60 Subpart BBB, as amended June 30, 2016, 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 June 30, 2016, is hereby incorporated and adopted by reference.
55. Standards of Performance for Flexible Vinyl and Urethane Printing and Coating: 40 CFR Part 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 for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and On or Before November 7, 2006: 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 Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes After October 21, 1983, and on or Before April 25, 2023: 40 CFR Part 60 Subpart III, as amended September 12, 2024, 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 for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011: 40 CFR Part 60 Subpart KKK, as amended March 8, 2024, is hereby incorporated and adopted by reference.

61. Standards of Performance for Onshore Natural Gas Processing: 40 CFR Part 60 Subpart LLL, as amended June 30, 2016, is hereby incorporated and adopted by reference.

62. Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operation After December 30, 1983, and on or Before April 25, 2023: 40 CFR Part 60 Subpart NNN, as amended September 12, 2024, 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 Part 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 Part 60 Subpart QQQ, as amended October 17, 2000, is hereby incorporated and adopted by reference.

66. Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes After June 29, 1990, and on or Before April 25, 2023: 40 CFR Part 60 Subpart RRR, as amended September 12, 2024, is hereby incorporated and adopted by reference.

67. Standards of Performance for Magnetic Tape Coating: 40 CFR Part 60 Subpart SSS, as amended February 12, 1999, is hereby incorporated and adopted by reference.

68. Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines: 40 CFR Part 60 Subpart TTT, as amended March 27, 2023, is hereby incorporated and adopted by reference.

69. Standards of Performance for Calciners and Dryers in Mineral Industries: 40 CFR Part 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 Part 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 That Commenced Construction, Reconstruction, or Modification on or After May 30, 1991, but Before July 18, 2014: 40 CFR Part 60 Subpart WWW, as amended October 13, 2020, is hereby incorporated and adopted by reference.
73. Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators: 40 CFR Part 60 Subpart Ec, as amended September 6, 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 or for Which Modification or Reconstruction is Commenced After June 6, 2001: 40 CFR Part 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: 40 CFR Part 60 Subpart CCCC, as amended ~~March 20, 2023~~ August 26, 2025, is hereby incorporated and adopted by reference.
76. Standards of Performance for Other Solid Waste ~~Incinerator~~ Incineration 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 14, 2024~~ June 30, 2025, 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 amended August 30, 2024, is hereby incorporated and adopted by reference.
78. Standards of Performance for Stationary Combustion Turbines: 40 CFR Part 60 Subpart KKKK, as amended October 7, 2020, 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 August 30, 2024, 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, and on or Before April 25, 2023: 40 CFR Part 60 Subpart VVa, as amended September 12, 2024, 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 November 26, 2018, 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. Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015: 40 CFR Part 60 Subpart OOOO, as amended ~~March 8, 2024~~ July 31, 2025, is hereby incorporated and adopted by reference.

85. Standard of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013: 40 CFR Part 60 Subpart BBa, as amended November 5, 2020, is hereby incorporated and adopted by reference.

86. Standards of Performance for New Residential Wood Heaters: 40 CFR Part 60 Subpart AAA, as amended March 29, 2023, is hereby incorporated and adopted by reference.

87. Subpart PPPP - [reserved]

88. Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces: 40 CFR Part 60 Subpart QQQQ, as amended March 29, 2023, is hereby incorporated and adopted by reference.

89. Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014: 40 CFR Part 60 Subpart XXX, as amended February 14, 2022, is hereby incorporated and adopted by reference.

90. Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015 and On or Before December 6, 2022: 40 CFR Part 60 Subpart OOOOa, as amended ~~August 1, 2024~~ July 31, 2025, is hereby incorporated and adopted by reference.

91. Standards of Performance for Secondary Lead Smelters for Which Construction, Reconstruction, or Modification Commenced After December 1, 2022: 40 CFR Part 60 Subpart La, as promulgated November 20, 2023, is hereby incorporated and adopted by reference.

92. Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarbonization Vessels Constructed After May 16, 2022: 40 CFR Part 60 Subpart AAb, as amended February 14, 2024, is hereby incorporated and adopted by reference.

93. Standards of Performance for Lead Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After February 23, 2022: 40 CFR Part 60 Subpart KKa, as promulgated February 23, 2023, is hereby incorporated and adopted by reference.

94. Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After May 18, 2022: 40 CFR Part 60 Subpart MMa, as promulgated May 9, 2023, is hereby incorporated and adopted by reference.

95. Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines for Which Construction, Reconstruction, or Modification Commenced After June 21, 2022: 40 CFR Part 60 Subpart TTTa, as promulgated March 27, 2023, is hereby incorporated and adopted by reference.

96. Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After October 4, 2023: 40 CFR Part 60 Subpart Kc, as promulgated October 15, 2024, is hereby incorporated and adopted by reference.

97. Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023: 40 CFR Part 60 Subpart VVb, as promulgated May 16, 2024, is hereby incorporated and adopted by reference.

98. Standards of Performance for Bulk Gasoline Terminals that Commenced Construction, Modification, or Reconstruction After June 10, 2022: 40 CFR Part 60 Subpart XXa, as promulgated May 8, 2024, is hereby incorporated and adopted by reference.

99. Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023: 40 CFR Part 60 Subpart IIIa, as promulgated May 16, 2024, is hereby incorporated and adopted by reference.

100. Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023: 40 CFR Part 60 Subpart NNNa, as promulgated May 16, 2024, is hereby incorporated and adopted by reference.

101. Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023: 40 CFR Part 60 Subpart RRRa, as promulgated May 16, 2024, is hereby incorporated and adopted by reference.

102. Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022: 40 CFR Part 60 Subpart OOOOb, as amended December 3, 2025, 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 paragraph 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 subparagraph (b) of this paragraph. 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 June 10, 2019, 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 ~~November 29, 2024~~ January 2, 2026, [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:

(I) 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 Part 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 Part 63.41, shall be June 29, 1998.

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

- (iv) The “Permitting Authority,” as defined in 40 CFR Part 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 Parts 63.43(f)(1) through (5), the Division will act in accordance with the permitting requirements as set forth in Rule 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 Part 63.43(h), the Division will provide opportunity for public comment on the Notice of MACT Approval pursuant to Rule 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 Part 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 Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry: 40 CFR Part 63 Subpart F, as amended May 16, 2024, is hereby incorporated and adopted by reference.

21. Emission Standards for Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater: 40 CFR Part 63 Subpart G, as amended May 16, 2024, is hereby incorporated and adopted by reference. Only procedures listed in 63.112(e) of 40 CFR Part 63 Subpart G, shall be used to comply with the emission standard in 63.112(a) unless otherwise specifically approved by the Director.

22. Emission Standards for Hazardous Air Pollutants for Equipment Leaks and Fenceline Monitoring for All Emission Sources: 40 CFR Part 63 Subpart H, as amended May 16, 2024, is hereby incorporated and adopted by reference.

23. Emission Standards for Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks: 40 CFR Part 63 Subpart I, as amended May 16, 2024, is hereby incorporated and adopted by reference.

24. Emission Standards for Polyvinyl Chloride and Copolymers Production: 40 CFR Part 63 Subpart J, as amended November 19, 2020, is hereby incorporated and adopted by reference.

25. [reserved]

26. Emission Standards for Coke Oven Batteries: 40 CFR Part 63 Subpart L, as amended ~~July 5, 2024~~December 5, 2025, is hereby incorporated and adopted by reference.
27. Perchloroethylene Air Emission Standards for Dry Cleaning Facilities: 40 CFR Part 63 Subpart M, as amended November 19, 2020, 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 Part 63 Subpart N, as amended November 19, 2020, is hereby incorporated and adopted by reference.
29. Ethylene Oxide Emissions Standards for Sterilization Facilities: 40 CFR Part 63 Subpart O, as amended April 5, 2024, is hereby incorporated and adopted by reference.
30. [reserved]
31. Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers: 40 CFR Part 63 Subpart Q, as amended November 19, 2020, is hereby incorporated and adopted by reference.
32. Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations): 40 CFR Part 63 Subpart R, as amended May 8, 2024, is hereby incorporated and adopted by reference.
33. Emission Standards for Hazardous Air Pollutants from the Pulp & Paper Industry: 40 CFR Part 63 Subpart S, as amended March 29, 2023, is hereby incorporated and adopted by reference.
34. Emission Standards for Halogenated Solvent Cleaning: 40 CFR Part 63 Subpart T, as amended November 19, 2020, is hereby incorporated and adopted by reference.
35. Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins: 40 CFR Part 63 Subpart U, as amended May 16, 2024, 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 Part 63 Subpart W, as amended May 16, 2024, is hereby incorporated and adopted by reference.
38. Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting: 40 CFR Part 63 Subpart X, as amended November 19, 2020, is hereby incorporated and adopted by reference.
39. Emission Standards for Marine Tank Vessel Loading Operations: 40 CFR Part 63 Subpart Y, as amended November 19, 2020, is hereby incorporated and adopted by reference.

40. [reserved]

41. Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants: 40 CFR Part 63 Subpart AA, as amended November 19, 2020, is hereby incorporated and adopted by reference.

42. Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants: 40 CFR Part 63 Subpart BB, as amended November 19, 2020, is hereby incorporated and adopted by reference.

43. Emission Standards for Hazardous Air Pollutants From Petroleum Refineries: 40 CFR Part 63 Subpart CC, as amended April 4, 2024, is hereby incorporated and adopted by reference. Only procedures listed in 63.642(k) of 40 CFR Part 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 Part 63 Subpart DD, as amended November 19, 2020, is hereby incorporated and adopted by reference.

45. Emission Standards for Magnetic Tape Manufacturing Operations: 40 CFR Part 63 Subpart EE, as amended December 28, 2020, is hereby incorporated and adopted by reference.

46. [reserved]

47. Emission Standards for Aerospace Manufacturing and Rework Facilities: 40 CFR Part 63 Subpart GG, as amended November 19, 2020, is hereby incorporated and adopted by reference.

48. Emission Standards for Hazardous Air Pollutants From Oil & Natural Gas Production Facilities: 40 CFR Part 63 Subpart HH, as amended October 22, 2024, is hereby incorporated and adopted by reference.

49. Emission Standards for Shipbuilding and Ship Repair (Surface Coating): 40 CFR Part 63 Subpart II, as amended November 19, 2020, is hereby incorporated and adopted by reference.

50. Emission Standards for Wood Furniture Manufacturing Operations: 40 CFR Part 63 Subpart JJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

51. Emission Standards for the Printing and Publishing Industry: 40 CFR Part 63 Subpart KK, as amended November 19, 2020, is hereby incorporated and adopted by reference.

52. Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants: 40 CFR Part 63 Subpart LL, as amended March 20, 2023, is hereby incorporated and adopted by reference.

53. Emission Standards for Hazardous Air Pollutants for Source Categories: Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills: 40 CFR Part 63 Subpart MM, as amended November 19, 2020, is hereby incorporated and adopted by reference.
54. Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources: 40 CFR Part 63 Subpart NN, as amended July 29, 2015, is hereby incorporated and adopted by reference.
55. Emission Standards for Tanks--Level 1: 40 CFR Part 63 Subpart OO, as amended June 23, 2003, is hereby incorporated and adopted by reference.
56. Emission Standards for Containers: 40 CFR Part 63 Subpart PP, as amended June 23, 2003, is hereby incorporated and adopted by reference.
57. Emission Standards for Surface Impoundments: 40 CFR Part 63 Subpart QQ, as amended June 23, 2003, is hereby incorporated and adopted by reference.
58. Emission Standards for Individual Drain Systems: 40 CFR Part 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 Part 63 Subpart SS, as amended July 6, 2020, is hereby incorporated and adopted by reference.
60. Emission Standards for Hazardous Air Pollutants from Equipment Leaks--Control Level 1: 40 CFR Part 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 Part 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 Part 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 Part 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 July 6, 2020, 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 Part 63 Subpart YY, as amended April 4, 2024, 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 Part 63 Subpart CCC, as amended November 19, 2020, is hereby incorporated and adopted by reference.

70. Emission Standards for Hazardous Air Pollutants for Source Categories: Mineral Wool Production: 40 CFR Part 63 Subpart DDD, as amended December 28, 2020, is hereby incorporated and adopted by reference.

71. Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors: 40 CFR Part 63 Subpart EEE, as amended March 29, 2023, is hereby incorporated and adopted by reference.

72. [reserved]

73. Emission Standards for Hazardous Air Pollutants for Source Categories: Pharmaceuticals Production: 40 CFR Part 63 Subpart GGG, as amended November 19, 2020, is hereby incorporated and adopted by reference.

74. Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities: 40 CFR Part 63 Subpart HHH, as amended October 22, 2024, is hereby incorporated and adopted by reference.

75. Emission Standards for Hazardous Air Pollutants for Source Categories: Flexible Polyurethane Foam Production: 40 CFR Part 63 Subpart III, as amended November 19, 2020, is hereby incorporated and adopted by reference.

76. Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins: 40 CFR Part 63 Subpart JJJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

77. [reserved]

78. Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry: 40 CFR Part 63 Subpart LLL, as amended November 19, 2020, is hereby incorporated and adopted by reference.

79. Emission Standards for Hazardous Air Pollutants for Source Categories: Pesticide Active Ingredient Production: 40 CFR Part 63 Subpart MMM, as amended November 19, 2020, is hereby incorporated and adopted by reference.

80. Emission Standards for Hazardous Air Pollutants for Source Categories: Wool Fiberglass Manufacturing: 40 CFR Part 63 Subpart NNN, as amended December 28, 2020, is hereby incorporated and adopted by reference.

81. Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins: 40 CFR Part 63 Subpart OOO, as amended November 19, 2020, is hereby incorporated and adopted by reference.

82. Emission Standards for Hazardous Air Pollutants ~~for Source Categories:~~ Emissions for Polyether Polyols Production: 40 CFR Part 63 Subpart PPP, as amended ~~November 19, 2020~~ September 2, 2025, 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 May 13, 2024, is hereby incorporated and adopted by reference.

84. Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production: 40 CFR Part 63 Subpart RRR, as amended November 19, 2020, is hereby incorporated and adopted by reference.

85. [reserved]

86. Emission Standards for Hazardous Air Pollutants for Source Categories: Primary Lead Smelting: 40 CFR Part 63 Subpart TTT, as amended November 19, 2020, is hereby incorporated and adopted by reference.

87. Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units: 40 CFR Part 63 Subpart UUU, as amended November 19, 2020, is hereby incorporated and adopted by reference.

88. Emission Standards for Hazardous Air Pollutants for Source Categories: Publicly Owned Treatment Works: 40 CFR Part 63 Subpart VVV, as amended November 19, 2020, is hereby incorporated and adopted by reference.

89. [reserved]

90. Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese: 40 CFR Part 63 Subpart XXX, as amended March 20, 2023, 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 February 14, 2022, is hereby incorporated and adopted by reference.

94. [reserved]

95. Emission Standards for Hazardous Air Pollutants for Source Categories: Manufacturing of Nutritional Yeast: 40 CFR Part 63 Subpart CCCC, as amended October 16, 2017, 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 November 19, 2020, is hereby incorporated and adopted for reference.

97. Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline): 40 CFR Part 63 Subpart EEEE, as amended April 4, 2024, 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 April 4, 2024, 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 November 19, 2020, 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 November 19, 2020, 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 November 19, 2021, is hereby incorporated and adopted by reference.

102. Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating: 40 CFR Part 63 Subpart JJJJ, as amended March 29, 2023, 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 November 19, 2021, 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 November 19, 2020, is hereby incorporated and adopted by reference.

106. Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances: 40 CFR Part 63 Subpart NNNN, as amended November 19, 2020, 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 November 19, 2020, 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 November 19, 2020, 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 March 8, 2023, 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 November 19, 2020, 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 November 19, 2020, 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 November 19, 2020, 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 November 19, 2020, 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 November 19, 2021, 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 November 19, 2020, is hereby incorporated and adopted by reference.

116. Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing: 40 CFR Part 63 Subpart XXXX, as amended November 29, 2024, is hereby incorporated and adopted by reference.

117. Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines: 40 CFR Part 63 Subpart YYYY, as amended March 9, 2022, is hereby incorporated and adopted by reference.

118. Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines: 40 CFR Part 63 Subpart ZZZZ, as amended August 30, 2024, 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 December 4, 2024, is hereby incorporated and adopted by reference.

120. Emission Standards for Hazardous Air Pollutants: Semiconductor Manufacturing: 40 CFR Part 63 Subpart BBBB, as amended November 19, 2020, 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 ~~July 5, 2024~~December 5, 2025, 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 October 6, 2022, is hereby incorporated and adopted by reference.

123. Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries: 40 CFR Part 63 Subpart EEEEE, as amended November 19, 2020, is hereby incorporated and adopted by reference.

124. Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities: 40 CFR Part 63 Subpart FFFFF, as amended ~~April 3, 2024~~December 3, 2025, 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, 2022, 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 February 22, 2023, is hereby incorporated and adopted by reference.

127. Emission Standards for Hazardous Air Pollutants for Mercury Cell Chlor-Alkali Plants: 40 CFR Part 63 Subpart IIIII, as amended May 6, 2022, is hereby incorporated and adopted by reference.

128. Emission Standards for Hazardous Air Pollutants: Brick and Structural Clay Products Manufacturing: 40 CFR Part 63 Subpart JJJJJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

129. Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing: 40 CFR Part 63 Subpart KKKKK, as amended November 19, 2021, is hereby incorporated and adopted by reference.

130. Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing: 40 CFR Part 63 Subpart LLLLL, as amended November 19, 2020, 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 November 18, 2021, 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 November 19, 2020, is hereby incorporated and adopted by reference.

133. [reserved]

134. Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands: 40 CFR Part 63 Subpart PTTTT, as amended March 29, 2023, 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 November 19, 2020, 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 March 6, 2024, 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 November 19, 2021, 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 November 19, 2020, is hereby incorporated and adopted by reference.

139. Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units: 40 CFR Part 63 Subpart UUUUU, as amended May 7, 2024, is hereby incorporated and adopted by reference.

140. [reserved]

141. Emission Standards for Hospital Ethylene Oxide Sterilizers: 40 CFR Part 63 Subpart WWWWW, as amended November 19, 2020, 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 amended June 24, 2015, 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 ZZZZZ, as amended September 10, 2020, is hereby incorporated and adopted by reference.

145. [reserved]

146. Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities: 40 CFR Part 63 Subpart BBBBWW, as amended July 5, 2024, 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 November 19, 2020, 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 February 4, 2015, 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 May 13, 2024, 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 HHHHHH, as amended November 10, 2022, 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 JJJJJJ, as amended September 14, 2016, 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 November 18, 2021, 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 February 23, 2023, 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 8, 2023, 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 amended November 19, 2020, 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 amended November 19, 2020, 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 November 19, 2020, 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 amended November 19, 2020, 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 amended November 19, 2020, 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 20, 2023, 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 amended November 19, 2020, 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 CCCCCC, as amended November 19, 2020, 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 HHHHHHHH, as amended November 19, 2020, is hereby incorporated and adopted by reference.

Rule 391-3-1-.03(6)(b), “Combustion Equipment,” is amended to read as follows:

(b) Combustion Equipment.

1. Fuel-burning equipment having a total heat input capacity of less than 10 MMBtu/hr per unit burning only natural gas, LPG and/or distillate fuel oil containing 0.50% sulfur by weight or less.
2. Fuel-burning equipment rated at less than 5 MMBtu/hr per unit burning a wood or fossil fuel.
3. Any fuel-burning equipment with a rated input capacity of 2.5 MMBtu/hr per unit or less.
4. Equipment used for cooking food for immediate human consumption.
5. Blacksmith forges.
6. Clean steam condensate and steam relief vents.
7. Funeral homes and crematories of any size.
8. Air curtain destructor used for land clearing at a construction site.
9. Open burning.
10. Small incinerators operating as follows:
 - (i) less than 8 MMBtu/hr input per unit, firing types 0, 1, 2 and/or 3 waste; or
 - (ii) less than 8 MMBtu/hr input per unit 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 MMBtu/hr heat input per unit firing Type 4 waste.
11. Stationary engines.
 - (i) Burning natural gas, LPG, gasoline, dual fuel, or diesel fuel which are used exclusively as emergency generators;

(ii) Burning 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 or greater than 100 kilowatts are not exempt; or

(iii) Used for other purposes provided that the total horsepower of all non-gasoline burning engines combined are less than 1500 engine horsepower and no individual engine operates for more than 1000 hours-per-year; or

(iv) Used for other purposes provided that the total horsepower of all gasoline burning engines combined are less than 225 horsepower and no individual engine operates for more than 1000 hours-per-year.

(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.

12. Boiler water treatment operations.

13. Firefighting equipment, including fire pumps or other emergency/safety equipment used to fight fires or train firefighters or other emergency personnel.

14. Temporary stationary engines used to generate electricity that are used to replace main stationary engines during periods of maintenance or repair (provided the actual and potential emissions of the temporary sources do not exceed that of the main sources).

15. Temporary fuel-burning equipment (i.e., boilers) that are used to replace main fuel-burning equipment during periods of maintenance or repair (provided the actual and potential emissions of the temporary sources do not exceed that of the main sources.) Temporary fuel-burning equipment that remains at a location for more than 180 consecutive days is no longer considered to be a temporary boiler. Temporary fuel-burning equipment that replaces temporary fuel-

burning equipment at a location and is intended to perform the same or similar function will be included in calculating the consecutive time period.

16. Onsite air curtain incinerators with mist controls used for the purpose of decontamination and disposal of livestock and materials contaminated with the avian flu virus where on-site composting and burial are not viable methods of disposal.

Rule 391-3-1-.03(9), “Permit Fees,” is amended to read as follows:

(9) Permit Fees.

(a) The owner or operator of any stationary source subject to the provisions of Georgia Air Quality Rule 391-3-1-.03 “Permits. Amended” shall pay to the Division an annual fee or its equivalent (e.g., quarterly payments).

(b) The dollar-per-ton fee rate for each calendar year is specified in the table below. Each calendar year’s emissions and annual permit fees shall be determined and submitted in accordance with the Georgia Department of Natural Resources’ Fee Manual specified below.

Calendar Year	\$/Ton Rate	Fee Manual
1991	\$25/Ton	“Procedures for Calculating Air Permit Fees” dated July 1, 1992.
1992	\$25/Ton	“Procedures for Calculating 1992 Air Permit Fees” dated May 1, 1993.
1993	\$25/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 1993” dated February 1, 1994.
1994	\$25/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 1994” dated May 1, 1995.
1995	\$25/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 1995” dated April 2, 1996.
1996	\$25/Ton	“Procedures for Calculating Air Permit Fees for Calendar Years 1996 and 1997” dated August 1, 1997.
1997	\$28/Ton	“Procedures for Calculating Air Permit Fees for Calendar Years 1996 and 1997” dated August 1, 1997.
1998	\$28/Ton	“Procedures for Calculating Air Permit Fees for Calendar Years 1998 and 1999” dated January 19, 1999.
1999	\$28/Ton	“Procedures for Calculating Air Permit Fees for Calendar Years 1998 and 1999” dated January 19, 1999.
2000	\$31/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 2000” dated April 30, 2001.
2001	\$31/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 2001” dated February 26, 2002.
2002	\$32.50/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 2002” dated March 25, 2003.
2003	\$32.50/Ton	“Procedures for Calculating Air Permit Fees for Calendar Year 2003” dated April 20, 2004.

2004	\$32.50/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2004" dated March 22, 2005.
2005	\$33.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2005" dated March 15, 2006.
2006	\$28.50/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2006" dated February 7, 2007.
2007	\$34.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2007" dated April 2, 2008.
2008	\$34.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2008" dated February 12, 2009.
2009	\$34.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2009" dated January 26, 2010.
2010	\$35.84/Ton for coal-fired electric generating units; \$34/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2010" dated January 31, 2011.
2011	\$35.84/Ton for coal-fired electric generating units; \$34/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2011" dated March 2, 2012.
2012	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2012" dated February 5, 2013.
2013	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2013" dated January 14, 2014.
2014	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2014" dated January 12, 2015.
2015	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2015" dated February 22, 2016.

2016	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Fees for Calendar Year 2016” dated February 8, 2017.
2017	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Calendar Year 2017” dated February 8, 2018.
2018	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2019 and June 30, 2020” dated December 26, 2018.
2019	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2020 and June 30, 2021” dated February 3, 2020.
2020	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2021 and June 30, 2022” dated February 3, 2021.
2021	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2022 and June 30, 2023” dated February 3, 2022.
2022	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2023 and June 30, 2024” dated February 3, 2023.
2023	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2024 and June 30, 2025” dated February 2, 2024.

2024	\$45.37/Ton for coal-fired electric generating units; \$43.13/Ton for all other sources	“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2025 and June 30, 2026” dated February 3, 2025.
<u>2025</u>	<u>\$45.37/Ton for coal-fired electric generating units;</u> <u>\$43.13/Ton for all other sources</u>	<u>“Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2026 and June 30, 2027”</u> dated February 2, 2026.

When no applicable calculation method or procedure is published therein, the Director may specify or approve an applicable method or procedure prior to its use.

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

1. “Criteria Pollutant” means volatile organic compounds, sulfur dioxide, particulate matter, and nitrogen oxides.
2. “Stationary source” means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same “Major Group” (i.e., which have the same first two digit code) as described in the most recent Standard Industrial Classification Manual, published by the U.S. Government Printing Office.

(d) No annual fee shall be collected for more than 4,000 tons per year per stationary source of any individual criteria pollutant as calculated in accordance with the Fee Manual.

(e) The Director may reduce any permit fee required under this ~~Subject~~Chapter to take into the account the financial resources of small businesses stationary sources.

(f) The collection of fees pursuant to this ~~Subject~~Chapter shall preclude collection of any air quality control permit fee by any other state or local government authority.

(g) The collection of annual fees pursuant to this paragraph shall begin on or after July 1, 1995, and shall be for the calendar year ending December 31, 1994. Thereafter, annual permit fees for each calendar year are due no later than September 1 of the following calendar year. Fees shall be paid in accordance with the procedures specified in the Fee Manual.

(h) The owner of a stationary source subject to this paragraph (9), “Permit Fees” shall make a one-time payment on or before April 30, 2001, in accordance with the following schedule. This one-time payment shall serve as a credit toward the calendar year 2000 permit fees (which are to be adopted at a later date). The procedures and methods contained in the Georgia Department of

Natural Resources **Procedures for Calculating Air Permit Fees for Calendar Years 1998 and 1999 dated January 19, 1999** (1998/1999 Fee Manual), which is hereby incorporated by reference, along with calendar year 2000 activities and emissions shall be used to determine which, if any, of the following one-time payments are applicable to each stationary source.

1. Any Stationary Source subject to one or more Federal Standard of Performance for New Stationary Sources (NSPS) that is not classified as a Part 70 major source is defined in 40 CFR 70.2 shall pay a one-time payment of \$400 unless ALL of the equipment at the stationary source that is subject to an NSPS standard is listed in the exception list found in section 2.0(a) of the 1998/1999 Fee Manual and/or did not operate during calendar year 2000.
2. Any Stationary Source that is classified as a Part 70 major source, as defined in 40 CFR 70.2, that operated for any period of time in calendar year 2000, and whose calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) of EACH OF THE FOUR criteria pollutants (as defined in section 1.0 of the 1998/1999 Fee Manual: particulate matter, sulfur dioxide, volatile organic compounds, and nitrogen oxides) are less than or equal to the threshold values listed in section 3.16 of the 1998/1999 Fee Manual shall pay a one-time payment of \$600.
3. Any Stationary Source that is classified as a Part 70 major source, as defined in 40 CFR 70.2, that operated for any period of time in calendar year 2000, whose calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) of AT LEAST ONE of the four criteria pollutants (as defined in section 1.0 of the 1998/1999 Fee Manual: particulate matter, sulfur dioxide, volatile organic compounds, and nitrogen oxides) are above the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual, and whose COMBINED calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) is less than 700 tons shall pay a one-time payment of \$1150. For the purpose of determining this one-time payment, the calculated emissions of any single criteria pollutant shall not be considered when determining if the calculated emissions are less than 700 tons if the calculated emissions for that criteria pollutant are less than or equal to the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual.
4. Any Stationary Source that is classified as a Part 70 major source, as defined in 40 CFR 70.2, that operated for any period of time in calendar year 2000, whose total calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar 2000 activities) of AT LEAST ONE of the four criteria pollutants (as defined in section 1.0 of the 1998/1999 Fee Manual: particulate matter, sulfur dioxide, volatile organic compounds, and nitrogen oxides) is above the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual, and whose COMBINED calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) are greater than or equal to 700 tons shall pay a one-time payment of \$3000. For the purpose of determining this one-time payment, the calculated emissions of any single criteria pollutant shall not be considered when determining if the calculated emissions are greater than or equal to 700 tons if the calculated emissions for that criteria pollutant are less

than or equal to the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual.

(i) As part of the annual permit fees required under this paragraph, the owner or operator of any stationary source shall also pay administrative fees in accordance with the following subparagraphs in addition to the permit fees determined in accordance with the Fee Manual(s) specified in subparagraph (b) of this paragraph.

1. The owner or operator shall pay an administrative fee of 0.05 percent of the total fee due determined in accordance with the Fee Manual(s) specified in subparagraph (b) of this paragraph for each calendar day in which the air permit fee form is submitted to the Division following the first business day of September of the calendar year in which the fee was due or October 1, 2010, whichever is later.

2. For air permit fee forms submitted using the online Georgia air emissions fee reporting form, that date on which the air permit fee form is submitted to the Division shall be the date in which the owner or operator completes a final submittal on the online reporting form. For air permit fee forms that were submitted using a hard-copy paper form, the date on which the air permit fee form is submitted to the Division shall be the date on which the permit fee form and required payment are received at the address specified in the Fee Manual or at the office of the Division’s Air Protection Branch.

(j) Beginning with calendar year 2009 fees, when the ownership of any stationary source is transferred to a new owner or operator, the new owner or operator of the stationary source shall be responsible for paying any past due fees.

(k) Beginning on March 1, 2019, the owner or operator of any stationary source subject to the provisions of Georgia Air Quality Rule 391-3-1-.03 “Permits. Amended” shall pay to the Division a processing fee when submitting an application for the following permit application types:

Permit Type
Minor Source Permit or Amendment
Synthetic Minor Source Permit or Amendment
Major Source Permit or Amendment (but not subject to PSD or 112(g))
Name Change
Permit-by-Rule
Title V 502(b)(10) Permit Amendment
Title V Minor Modification with Construction
Title V Minor Modification without Construction
Title V Significant Modification with Construction
Title V Significant Modification without Construction
PSD Permit per 391-3-1-.02(7)
112(g) permit per 391-3-1-.02(9)(b)16.

1. Fees shall be paid in accordance with the procedures specified in the Fee Manual.
2. No final action of the Director shall occur until complete fee payment is received, unless the fee payment is waived or partially waived in accordance with subparagraph 391-3-1-.03(9)(e).
3. Application fees shall not be refunded as the fee is used to cover application processing labor.
4. Title V modification application fees are waived for applicants submitting PSD/112(g) permit applications via Title V permit applications. The PSD/112(g) fee still applies.

(l) Beginning on July 1, 2020, the owner or operator of any stationary source subject to the provisions of Georgia Air Quality Rule 391-3-1-.03(10) “Title V Operating Permits” shall pay to the Division an annual maintenance fee for Title V sources. Fees shall be paid in accordance with the procedures specified in the Fee Manual.

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

**PROCEDURES
FOR
CALCULATING**

**AIR PERMIT APPLICATION
& ANNUAL PERMIT FEES**

**For Fees Due Between
July 1, 20256 and June 30, 20267**

February 32 20256



ENVIRONMENTAL PROTECTION DIVISION

AIR PROTECTION BRANCH
4244 INTERNATIONAL PARKWAY, SUITE 120
ATLANTA, GEORGIA 30354
PHONE: 404/363-7000
FAX: 404/363-7100

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1.0 INTRODUCTION TO FEE SYSTEM

This document has been prepared to specify the methods used to calculate the permit fees required under Georgia Air Quality Control Rule 391-3-1-.03(9), “Permit Fees.” These procedures are to be used for (1) determining permit application fees and (2) calculating annual permit fees due during state fiscal year 20267 (July 1, 20256 – June 30, 20267). These procedures are to be used for the determination and calculation of air permit fees in accordance with the requirements of The Georgia Air Quality Act.

Section 2.0 of these procedures is to be used to determine what type of permit application fee is due when submitting a permit application. Applications submitted from July 1, 20256 through June 30, 20267 are subject to the permit application fees listed in this manual. Application fees are due within 20 days upon receipt of the permit application acknowledgement from the Georgia Environmental Protection Division.

Section 3.0 of these procedures is used to determine what type of annual permit fee is due. Annual permit fees are calculated using emissions data and other information from calendar year 20245 (January 1 – December 31, 20245). **Please be informed that the invoice on GEKO for criteria pollutants should be based on the permit limit and not based on the facility’s actual emissions.** The owner or operator of any stationary source should use Section 3.3 to determine if the source is subject to an NSPS Fee; whether the source is subject to Synthetic Minor or Part 70 Fees; and whether permit fee calculations must be conducted.

Within this text, permit application fees are identified as application fees and annual permit fees are identified as annual fees. Collectively, application and annual fees are referred to as permit fees.

Section 4.0 of these procedures is to be used to calculate emissions of criteria pollutants. For the purpose of the Air Permit Fee system, “criteria pollutants” are defined as volatile organic compounds, sulfur dioxide, particulate matter, and nitrogen oxides from a stationary source. Volatile organic compounds (VOCs) are any organic compounds emitted to the atmosphere except those compounds specifically exempted by Georgia Air Quality Control Rule 391-3-1-.01(III). Particulate matter (PM) emissions are as defined by Georgia Air Quality Control Rule 391-3-1-.01(yy). The total emissions of each of these four pollutants are then to be reported on the Georgia Air Emissions Fee Reporting Form (fee form) and are used to determine the “total calculated fee.” **SECTION 4.0 CALCULATIONS ARE ONLY REQUIRED FOR SOURCES THAT ARE CONSIDERED MAJOR UNDER PART 70 REGULATIONS.**

For calculating fees due for the calendar years 1991 through 2016 (state fiscal years 1993 – 2018), refer to “Procedures for Calculating Air Permit Fees” for the appropriate year. For calculating fees due after July 1, 2018, refer to “Procedures for Calculating Air Permit Application & Annual Permit Fees” for the appropriate year. For an electronic copy of these documents from 2009 to the most recent year, please go to the following

web address: <https://epd.georgia.gov/air-protection-branch-technical-guidance-0/types-air-quality-permits/air-permit-fees>.

1.1 Definition of Stationary Source

For the purposes of the Air Permit Fee system “stationary source” is determined as follows:

- 1) The owner or operator should consider all of the pollutant-emitting activities which are located on one or more contiguous properties and are under control of the same person (or persons under common control) except the activities of any vessel. If the potential emissions of Hazardous Air Pollutants (HAPs) equal or exceed ten tons per year for any single HAP or 25 tons per year for total HAPs, then all the pollutant activities are considered to be one “stationary source.”
- 2) If the potential emissions of HAPs do not equal or exceed ten tons per year for any single HAP or 25 tons per year for total HAPs, then a “stationary source” is defined as: 1) all of the pollutant-emitting activities which belong to the same industrial grouping; 2) located on one or more contiguous or adjacent properties; and 3) under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same “Major Group” (i.e., which have the same first two-digit code) as described in the 1987 Standard Industrial Classification Manual published by the U. S. Government Printing Office.

There are instances where a stationary source, as defined by the Air Permit Fee system, has been treated as more than one stationary source under the Air Protection Branch permitting system (i.e., the stationary source has been issued more than one AIRS number and holds more than one valid permit). In such cases annual permit fees shall be calculated, reported, and paid for each separate permitted facility assigned a separate AIRS number.

If the Environmental Protection Division (the Division) has issued a permit to construct a stationary source in accordance with Georgia Air Quality Control Rule 391-3-1-.03, “Permits. Amended”, that facility shall be considered a stationary source for the purposes of the Air Permit Fee system even if that facility has not been constructed or begun operation.

2.0 PERMIT APPLICATION FEES

Permit application fees are owed in addition to any annual fees described in Section 3.0.

2.1 Effective Date

When applying for the following permit action types, an associated permit application fee will be required. Permit application fees are contained in the table below. Please refer to Section 2.3 for definitions of each permit type and application location.

Permit Type	Application Fees
Minor Source Permit or Amendment	\$2,000
Synthetic Minor Source Permit or Amendment	\$3,000
Generic (Minor or Synthetic Minor) Permit	\$0
Major Source Permit or Amendment (but not subject to PSD or 112(g))	\$6,000
Name / Ownership Change	\$750
Permit-by-Rule	\$2,000
Title V 502(b)(10) Permit Amendment	\$6,000
Title V Minor Modification with Construction	\$6,000
Title V Minor Modification without Construction	\$6,000
Title V Significant Modification with Construction	\$6,000
Title V Significant Modification without Construction	\$6,000
Title V Renewal	\$0
Off-Permit Change Request	\$0
PSD Permit per 391-3-1-.02(7)	\$22,500
112(g) permit per 391-3-1-.02(9)(b)16.	\$22,500
No Permit Required Exemption	\$0

It is the responsibility of the applicant to determine the appropriate permit type.

Application fees are due within 20 days upon receipt of the permit application acknowledgement from the Georgia Environmental Protection Division. Permit actions resulting from the application will not be finalized prior to fee payment.

When a permit application falls under multiple permit types, the applicant is expected to pay the greater of the fees. For example, Title V modification application fees are waived for applicants submitting PSD or 112(g) applications via Title V permit applications. The PSD or 112(g) fee still applies.

2.2 Payment Process

An invoice will be created for each permit application submitted. Payment is due within 20 days upon receipt of the permit application acknowledgement from the Georgia Environmental Protection Division.

Unless otherwise specified by the Director, all payments, along with accompanying payment coupons, should be submitted to:

Air Quality Fees
Post Office Box 101713
Atlanta, Georgia 30392

All checks for payment of fees should be made out to “Georgia Department of Natural Resources.” Permit application fees are non-refundable.

It is recommended to confirm the appropriate permit application type with a Stationary Source Permitting Program (SSPP) associate to avoid any delays.

This permit application fee does not include the optional permit expediting fee. If a facility would like a permit application expedited, the expedited permit application process is described in detail at the link below.

<https://epd.georgia.gov/forms-permits/air-protection-branch-forms-permits/air-permits/expedited-permitting-program>

2.3 Permit Types Explained

This section provides additional details for each permit application type in sections 2.3.1 through 2.3.8. The description and forms are established in accordance with Georgia Air Quality Control Rule 391-3-1-.03 “Permits. Amended.”

2.3.1 Minor Source Permit or Amendment

The permit application fee is \$2,000.

To apply for a Minor Source Permit or amendment, the facility must submit the Georgia SIP Air Permit application. Instructions and applicable forms can be accessed using the following link:

<https://epd.georgia.gov/sip-construction-and-operating-permit-applications>

Generic permit fee exemption. A facility that qualifies for a Generic Air Permit is not required to pay permit application fees. In the case that the facility is a Minor Source Concrete Batch Plant, a Generic Air Permit can be obtained as long as the facility meets certain requirements. The application must include the Application Supplement Form

available at the link below and relevant forms from the Georgia SIP Air Permit application.

<https://epd.georgia.gov/generic-air-permits>

2.3.2 Synthetic Minor Source Permit or Amendment

The permit application fee is \$3,000.

To apply for a Synthetic Minor Source Permit or amendment, the facility must submit a Georgia SIP Air Permit application. Instructions and applicable forms can be accessed using the following link:

<https://epd.georgia.gov/synthetic-minor-permits>

Generic permit fee exemption. A facility that qualifies for a Generic Air Permit is not required to pay permit application fees. In the case that the facility is a Synthetic Minor Source Concrete Batch Plant or a Synthetic Minor Source Hot Mix Asphalt plant, a Generic Air Permit can be obtained as long as the facility meets certain requirements. The application must include the Application Supplement Form available at the link below and the relevant forms from the Georgia SIP Air Permit application.

<https://epd.georgia.gov/generic-air-permits>

2.3.3 Major Source Permit not PSD or 112(g)

The permit application fee is \$6,000.

This category refers to facilities with permitted potential emissions exceeding the applicable Title V major source threshold, but below the PSD major source threshold, (or otherwise exempt from PSD permitting requirements). These facilities are not yet subject to Title V permit application requirements.

To apply for a Title V Major Source Permit that is not a PSD permit or 112(g), the facility must submit a Georgia SIP Air Permit application. Instructions and applicable forms for the SIP Air Permit application can be accessed using the following link:

<https://epd.georgia.gov/sip-construction-and-operating-permit-applications>

2.3.4 Name or Ownership Change

The permit application fee is \$750.

To apply for a Name / Ownership Change, the facility will only need to submit one form along with the required fee. The form can be accessed on the Georgia SIP Air Permit application page and by scrolling down to “Additional SIP Permitting Information.” If

there is a change in ownership with an accompanying name change, the facility will need to submit the Change in Ownership Form found on the same page. Change in ownership alone and retention of the facility name does not require a fee. Additional information is provided in the link below.

<https://epd.georgia.gov/forms-permits/air-protection-branch-forms-permits/air-permits/apply-air-permit/apply-sip>

2.3.5 Permit-by-Rule

The permit application fee is \$2,000.

A Permit-by-Rule establishes pre-determined operational limitations for certain industrial categories for the purposes of ensuring that a facility will not be considered a major source with respect to Title V of the Clean Air Act Amendments of 1990.

A Permit-by-Rule application/permit is appropriate for potentially major sources that are able to operate under limits outlined in Georgia Air Quality Control Rule 391-3-1-.03(11). A facility accepting a Permit-by-Rule is not exempt from the obligation to apply for and obtain a SIP Permit. Complying with the requirements of a Permit-by-Rule does not relieve a facility of having to comply with other requirements of the Georgia Rules for Air Quality. A list of Permit-by-Rules along with the corresponding supplemental forms can be found at the link below:

<https://epd.georgia.gov/permit-rule>

2.3.6 Title V Modifications

The permit application fee for this category of permit applications is \$6,000.

This section covers the following five Title V permit modification variations.

- 502(b)(10) Permit Attachment
- Minor Modification with Construction
- Minor Modification without Construction
- Significant Modification with Construction
- Significant Modification without Construction

The Stationary Source Permitting Program provides information online to determine what permitting action, if any, is necessary for different types of changes that may occur at a facility that is operating under a Title V (Part 70) permit. To access this information as well as procedures and example application letters use the following link.

<https://epd.georgia.gov/title-v-permit-modifications>

Title V Renewal exemption. Title V Renewals do not require a permit application fee. If a renewal includes a qualifying modification, then the corresponding permit application fee will apply.

Off-Permit Change Request exemption. For off-permit changes, a permit application fee does not apply. Use the following link for off-permit change request procedures.

<https://epd.georgia.gov/procedures-permit-change>

If there is uncertainty about what course of action to take regarding changes at your facility, please contact the Air Branch's Stationary Source Permitting Program.

Applications for Title V modifications will be submitted using the new Georgia Environmental Online System (GEOS).

<https://epd.georgia.gov/air-protection-branch-technical-guidance-0/types-air-quality-permits/title-v-permitting>

2.3.7 PSD Permit or 112(g)

The permit application fee for this category is \$22,500.

New major stationary sources and major modifications to major stationary sources (as defined in the New Source Review program found in 40 CFR 52.21 as adopted by Georgia) will find resources applicable to their permitting needs in the link below.

PSD and 112(g) permit applications are submitted into GEOS if the facility holds an existing Title V operating permit. The online system allows for upload of supplemental documents necessary for permitting.

Title V modification applications fees are waived for applicants submitting PSD/112(g) permit applications via Title V permit applications. The PSD/112(g) fee still applies.

<https://epd.georgia.gov/air-protection-branch-technical-guidance-0/types-air-quality-permits/prevention-significant>

<https://epd.georgia.gov/air-protection-branch-technical-guidance-0/types-air-quality-permits/title-v-permitting>

2.3.8 No Permit Required Exemption

While these actions do require forms, no application fee is required. Please use the links below.

<https://epd.georgia.gov/sip-permit-exemptions>

<https://epd.georgia.gov/ssppsip-no-permit-required-form>

3.0 ANNUAL PERMIT FEES

Annual permit fees are due in addition to any permit application fees owed in accordance with Section 2.0.

3.1 Due Dates

The owner or operator of each stationary source subject to the requirements of the annual Permit Fee rule shall submit the fee form and any fees due on or before September ~~21~~, 202~~56~~. Stationary sources with an annual fee due of \$10,000 or greater may elect to make four equal quarterly payments. (Any administrative fees required in accordance with Section 3.3.4 of this manual do not count toward this \$10,000 threshold.) The quarterly payments shall be submitted on or before the dates listed in the following schedule or a later date(s) as may be specified by the Director:

Quarterly Payment	Due Date
1st Quarterly Payment	September 21 , 202 56
2nd Quarterly Payment	October 1, 202 56
3rd Quarterly Payment	January 24 , 202 67
4th Quarterly Payment	April 1, 202 67

(See Section 5.0 for instructions on submitting the initial annual permit fee form and annual and quarterly payments.)

3.2 Payment Process

The owner or operator of a stationary source on the date annual fees are due shall be responsible for payment of fees.

Unless otherwise specified by the Director, all payments, along with accompanying payment coupons, should be submitted to:

Air Quality Fees
Post Office Box 101713
Atlanta, Georgia 30392

All checks for payment of fees should be made out to “Georgia Department of Natural Resources.”

The owner or operator of any stationary source subject to the provisions of the Georgia Air Quality Rule 391-3-1-.03 “Permits. Amended.” shall also be subject to process evaluations and/or audits to determine the accuracy of methods and calculations used to determine the emission fee. The rate, frequency, and content of said audits shall be at the discretion of the Division.

Failure to report, late payment of fees, and not calculating fees in accordance with this manual may result in enforcement action including monetary penalties up to \$25,000 per day. The Division will determine if a stationary source has failed to calculate fees in accordance with this fee manual through audit procedures.

If you receive a Fee Reporting Notification, a fee form must be completed and submitted even if no fee is due.

3.3 Annual Fees Explained

Annual Fees are required for Synthetic Minor and Part 70 Sources, and certain NSPS sources. This section provides the annual permit fees due and corresponding permit information.

3.3.1 Annual Fee for NSPS Sources

The permit fee for the following category is \$2,470.

Any source subject to Federal Standards of Performance for New Stationary Sources (NSPS) (40CFR part 60) except for the following:

- Subpart AAA - New Residential Wood Heaters;
- Steam-generating units that are subject to Subpart Dc and meet either of the following criteria: a) permitted to combust only fuels other than coal, coal refuse, oil, or wood, or b) has a heat input capacity of less than 30 MMBtu/hr and is permitted to combust wood or mixtures of wood with other fuels (except coal, coal refuse, or oil);
- Metal furniture surface coating operations which are permitted to use less than 1,000 gallons of coating (as applied) per year and are subject to Subpart EE;
- Pressure sensitive tape and label surface coating operations which are permitted to input less than 50,000 gallons of VOCs per year to the coating process and are subject to Subpart RR;
- Magnetic tape coating operations that are permitted to use less than 10,000 gallons of solvent which are subject to Subpart SSS;
- Coating operations and onsite coating mix preparation equipment for polymeric coating of supporting substrates which are permitted to use less than 95 megagrams per 12-month period of VOCs per year and are subject to Subpart VVV;
- Municipal solid waste landfills with a design capacity of less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume and are subject to Subpart WWW or Subpart XXX;
- Stationary Compression Ignition Internal Combustion Engines which are subject to Subpart IIII; and
- Stationary Spark Ignition Internal Combustion Engines which are subject to Subpart JJJJ.

It is the responsibility of the owner or operator of an individual stationary source to verify if they are subject to an NSPS regulation.

If the Division has already determined that the source is subject to any NSPS regulations, it will be so indicated with a check mark in the block labeled “NSPS” on the fee form for that facility.

If the equipment subject to the NSPS standard(s) did not operate during the calendar year for which the fees are based, the NSPS annual fee does not apply.

If a stationary source ceases operation and requests that the operating permit for that facility be revoked and the Division revokes the operating permit for the facility during or prior to the calendar year in which the fees are based, the NSPS fee does not apply.

THE NSPS ANNUAL FEE IS DUE IN ADDITION TO ANY OF THE OTHER ANNUAL FEES (SYNTHETIC MINOR OR PART 70 FEE).

3.3.2 Annual Fee for Synthetic Minor Sources

The permit fee for the following category is \$2,730.

A “synthetic minor” permit is one that restricts operations at or emissions from a source in order to keep that facility from being a Part 70 (Title V) major source. If a Part 70 major source has received a valid synthetic minor permit prior to or during the calendar year for which the fees are based, the owner or operator of the source is required to pay a Synthetic Minor Fee. If a source holds a valid synthetic minor permit and the facility is modified or the synthetic minor limits are removed, resulting in the source becoming a Part 70 major source for any period during the year, then the source owner or operator must pay a Part 70 fee for that calendar year and subsequent years. Any facility which obtains synthetic minor status for Part 70 by means of a “Permit-by-Rule” by submitting a Permit-by-Rule application in accordance with Georgia Air Quality Control Rule 391-3-1-.03(11) and has received a Permit-by-Rule Certification letter from the Division is not required to pay a synthetic minor permit fee. Any ready mix concrete batch plant that is subject to Generic Air Quality Permit 3273-GEN-0011-S-01-0 is not required to pay a synthetic minor permit fee. Any asphalt plant that is subject to Generic Air Quality Permit 2951-GEN-0008-S-01-0 is required to pay a synthetic minor fee.

If the Division has determined the source has received a valid synthetic minor permit, it will be so indicated with an “SM” in the CLASS block of the online Fee Form. If the Division has determined that the source has obtained synthetic minor status by means of a Permit-by-Rule, it will be so indicated with a “PR” in the CLASS block of the online Fee Form. It is the responsibility of the owner or operator of an individual stationary source to verify whether or not the stationary source has received a synthetic minor permit or is subject to a Permit-by-Rule.

If the source is both a synthetic minor source and a Part 70 source, it is required to pay the Part 70 Fee and is not required to pay the synthetic minor fee.

If a stationary source with a synthetic minor permit permanently ceases operation and requests that the synthetic minor operating permit for that facility be revoked and the Division revokes the synthetic minor operating permit for the facility during or prior to the calendar year in which the fees are based, the synthetic minor permit fee does not apply.

NOTE THAT THE NSPS ANNUAL FEES DISCUSSED IN SECTION 3.3.1 OF THIS FEE MANUAL ARE DUE IN ADDITION TO ANY SYNTHETIC MINOR FEE THAT MAY BE DUE.

3.3.3 Annual Fee for Part 70 Sources

Any source for which a Part 70 (Title V) permit application is or will be required to be submitted for the purpose of obtaining a Part 70 permit is required to pay Part 70 Fees once a construction (SIP) permit required under 391-3-1-.03(1) has been issued for the construction of a new Part 70 source or the modification of an existing source which results in the source becoming a Part 70 source. If a Part 70 permit application is required for a facility for the purpose of obtaining a Part 70 permit, and that source subsequently receives a permit which contains limits that render the source a non-major facility (i.e., a synthetic minor permit), and that source is no longer required to obtain a Part 70 permit for some other reason, Part 70 Fees are not required for the calendar year in which the “synthetic minor” permit limit was issued or any other subsequent year so as long as the source remains a non-major source (the Synthetic Minor Fee specified in section 3.3.2 is required instead). Sources which are required to obtain a Part 70 permit, regardless of whether the source is major or not, are still required to pay the Part 70 Fees.

If the Division has determined the source has or is required to submit a Part 70 application, it will be so indicated with a check mark in the “Part 70 Fee” box of the online Fee Form. It is the responsibility of the owner or operator of an individual stationary source to verify whether or not the stationary source is a Part 70 source.

If a facility is required to pay Part 70 Fees, **and** the source is classified as a Major Part 70 source, the owner or operator of that facility should first calculate the Part 70 Major Source Fees using the procedures contained in Section 4.0 of these procedures. If the Division has determined the source is classified as a Major Part 70 source, it will be so indicated with an “A” in the CLASS block in the online Fee Form. **The dollar-per-ton (\$/ton) rate for calendar year 2024₅ is \$45.37 for stationary sources that contain a coal-fired EGU and \$43.13/ton for all other sources.** If the total calculated fee determined in accordance with Section 4.0 is less than \$5,850, then the owner or operator must pay a Part 70 Fee of \$5,850.

If the facility is required to submit Part 70 Fees **but** the source is **not** classified as a Major Part 70 source (i.e., the PART 70 block is checked and something other than an “A” is

shown in the CLASS block), the owner or operator must pay a Part 70 fee of \$5,850. However, the facility does **not** need to calculate emissions per Section 4.0 of these procedures.

An annual maintenance fee of \$1,300 is required in addition to the annual fee for Part 70 sources. When annual fees are due September ~~21, 2025~~6, the maintenance fee will be added to the final Part 70 fee once the fee has been determined in accordance with Section 4.0. If the total calculated fee determined in accordance with Section 4.0 is less than \$5,850, then the owner or operator must pay a Part 70 Fee of \$5,850 plus the maintenance fee. If the facility is required to submit Part 70 Fees **but** the source is **not** classified as a Major Part 70 source (i.e., the PART 70 block is checked and something other than an “A” is shown in the CLASS block), the owner or operator must pay a Part 70 fee of \$5,850 plus the maintenance fee.

If a stationary source with a Part 70 permit permanently ceases operation and requests that the Part 70 permit for that facility be revoked and the Division revokes the Part 70 permit for the facility during or prior to the calendar year in which the fees are based, the Part 70 fee does not apply. The expiration of a Part 70 permit five years after the effective date of that permit (ten years for some stationary sources) does not relieve that source from the requirement to report and pay Part 70 fees.

NOTE THAT THE NSPS ANNUAL FEES DISCUSSED IN SECTION 3.3.1 OF THESE PROCEDURES ARE DUE IN ADDITION TO ANY PART 70 FEE THAT MAY BE DUE.

3.3.4 Administrative Fee

In addition to the annual fees specified in sections 3.3.1 through 3.3.3 of this manual, the owner or operator of a source may be subject to an administrative fee. The administrative fee shall be required for the owner or operator of any stationary source that is required to submit a permit fee form. The administrative fee shall be 0.05% of the total fee due for each calendar day following September ~~21, 2025~~6, on which the permit fee form is submitted to the Division. Owners or operators who submit the required permit fee form on or by September ~~21, 2025~~6, are not required to pay the administrative fee.

The Georgia Environmental Connections Online (GECO) application air emissions fee reporting form must be used for reporting Calendar Year ~~2024~~5 fees. The date that is used to determine when the permit fee form is submitted, and thus used to determine if an administrative fee is owed and how much such fee is, shall be the date in which the owner or operator completes a final submittal (i.e., clicks the “final submit” button) on the online reporting form.

4.0 CALCULATION OF PART 70 MAJOR SOURCE FEES

4.1 General Instructions

The calculations contained in Section 4.0 are only required for stationary sources which were classified as a Part 70 major source for any part of the year for which the fees are based. A Major Source under Part 70 is defined in 40 CFR 70.2. If the Division has determined the source is classified as a Part 70 major source, it will be so indicated with an “A” in the CLASS block on the pre-filled fee form for that source. It is the responsibility of the owner or operator of an individual stationary source to verify whether or not the stationary source is a Part 70 major source.

The owner or operator of each stationary source that was classified as a Part 70 Major Source is responsible for calculating the fee due for each of the four criteria pollutants covered under the fee system (specifically: volatile organic compounds, sulfur dioxide, particulate matter, and nitrogen oxides). The following steps should be used for calculating fees:

1. Identify all pollutant-emitting activities at the stationary source which emit volatile organic compounds (VOC), sulfur dioxide (SO₂), particulate matter (PM), or nitrogen oxides (NO_x).
2. Check the exemptions listed in Section 4.1.7, Exemptions. Calculations are not required for the criteria pollutants specified for the operations and emission units listed in Section 4.17.

For Part 70 major sources which initially began operation during or prior to the calendar year in which the fees are based, use Steps 3 and 4 to calculate emissions from each operation not exempted under Step 2. For Part 70 major sources which have received a construction permit issued in accordance with Georgia Air Quality Rule 391-3-1-.03(1) but had not yet begun operation as of the calendar year in which the fees are based, the owner or operator should use fifty percent (50%) of the facility’s annual “potential to emit” as defined in Georgia Air Quality Rule 391-3-1-.01(ddd). A Part 70 major source which received a construction permit, did not begin operation, and whose construction permit expired prior to the calendar year in which the fees are based is not required to pay Part 70 fees.

3. Use the appropriate method contained in Sections 4.2.1 through 4.2.3 to calculate the emissions for any operation subject to a numerical emissions limit contained in either an air quality permit or Georgia or Federal air quality rule. Then use Method 4.2.5 to calculate the actual emissions from that operation for any of the remaining four criteria pollutants emitted in significant quantities (greater than one ton per year) that are not covered by a permit or rule limit.

4. Use Method 4.2.5 to calculate the actual emissions of each of the four criteria pollutants emitted in significant quantities (greater than one ton per year) from any operations not subject to a permit or rule limit and not exempted under Section 4.1.7.
5. Add up the calculated emissions from Steps 3 and 4 for each of the four criteria pollutants. Individual calculations and the final total should be conducted as specified in Section 4.1.2.
6. Multiply the total emissions of each criteria pollutant by the dollar per ton (\$/ton) rate for the calendar year in question. See Section 3.3.3 of this manual to obtain the appropriate \$/ton. That is the calculated fee for that criteria pollutant.
7. Add the calculated fees for each criteria pollutant. This is the total calculated fee. This figure is used to determine the "Part 70 Fee." Go to Section 3.3.3 of this manual to determine the Part 70 Fee.

The information obtained to calculate fees using the methods or procedures herein is subject to review and approval by the Division.

4.1.1 Amending Permit Limits

If the permitted emission limit of a criteria pollutant was changed by permit amendment or effective rule change during a calendar year, the old and new emission limit shall be prorated (based on the date of the amendment or rule change) for that year.

An owner or operator may wish to change an emission limit for the purpose of reducing fees. Application for a permit amendment of this type which will reduce fees for calendar years 1994 and beyond must be received by August 31 of the preceding year in order for the reduced limit to be in effect for the entire year. This deadline is necessary to give the Division adequate time to process the applications.

4.1.2 Significant Figures

Individual calculations should be carried out retaining at least four significant figures. Total emissions for each criteria pollutant should be rounded to the nearest ton.

For example, emissions from a fictitious stationary source are shown in the following table. The emissions for each process are calculated to four significant figures. The emissions for each pollutant are then totaled and then rounded off to the nearest ton.

Process	Particulate Matter	Sulfur Dioxide	Nitrogen Oxides	Volatile Organic Compounds
A	48.22	17.36	3.258	0.5785
B	22.25	83.06	17.25	3.267
C	30.03	-	-	365.3
Total for each pollutant	100.5	100.4	20.51	369.1
Round off to nearest ton	101	100	21	369

4.1.3 Excessive Emissions

In Methods 4.2.1 through 4.2.3, the permitted or regulatory emission rates are to be used to calculate emissions. There may be instances where actual emissions are in excess of allowable emission limits. In those instances, the owner or operator should still use the allowable emission rates. The excessive emissions would be handled through the enforcement activities of EPD and not through the permit fee process.

4.1.4 Annual Permit Fee Calculation Records

The owner or operator shall maintain copies of the calculations for a minimum of five years following submittal of the Georgia Emissions Fee Reporting Form. These calculations shall include the following as a minimum for each criteria pollutant emitted from each individual process and/or fuel-burning equipment.

- (a) State which method (numbers 4.2.1 – 4.2.5) was used in the calculation.
- (b) If an exemption (Section 4.1.7) is used for any processes or pollutant, state the number of the applicable exemption [4.1.7(a) - 4.1.7(k)].
- (c) If the calculation uses a permitted emission limit, state the permit number, date of permit issuance, date of any applicable permit amendments, and the condition number of the permitted emission limit. (Not required for Method 4.2.1)
- (d) If the calculation uses data from a permit application for which a permit or amendment has been issued, state the date of the application and application number (if known), permit number, and date of issuance of permit or amendment. (Required only if special Georgia Rule (e)/Rule (p) option of Method 4.2.2f is used.)
- (e) If the calculation uses an emission limit set by a State or Federal regulation, state the specific regulation. (Not required for Method 4.2.1)

- (f) State the actual calculation of emissions. (Not required for Method 4.2.1)
- (g) Provide an explanation of why a facility is subject to or exempt from an NSPS fee.
- (h) Provide any records necessary to confirm data used in the calculations. (Not required for Method 4.2.1)
- (i) Provide records of fee payments.

4.1.5 Obligations of Owner and/or Operator

Timely submission of the fee form based on best available data at the time of submittal and calculation of annual fees in accordance with this fee manual fulfills the permit fee reporting obligations for the reporting year. If you receive a Fee Reporting Notification, a Fee Reporting Form must be submitted, even if no fee is owed.

Beginning with Calendar Year 2009 fees, when the ownership of any stationary source is transferred to a new owner or operator, the new owner or operator of the stationary source shall be responsible for paying any past due annual fees.

4.1.6 [Reserved]

4.1.7 Exemptions

The following categories of sources or pollutants shall not be included when calculating emissions for the purpose of determining annual permit fees. The Division has determined that the fees that would be generated from these items would be minimal and would not justify the additional administrative costs to collect them. These exemptions apply only to those pollutants listed.

- (a) All criteria pollutants from any emissions sources or activities listed in the Insignificant Activities List contained in Georgia Rule 391-3-1-.03(10)(g) or in the Trivial List of Appendix A of the “State of Georgia Title V Major Source Operating Permit Application, Introduction and Instructions.” When calculating fees for any particular calendar year, the owner or operator may use any final version of Rule 391-3-1-.03(10)(g) which was in existence during that calendar year;
- (b) Sulfur dioxide and VOC emissions resulting from the combustion of natural gas, methane, liquefied petroleum gas, and landfill gas;
- (c) Volatile organic compound (VOC) emissions resulting from the combustion of fossil fuels;

- (d) Fugitive particulate matter emissions;
- (e) Fugitive VOC, fugitive nitrogen oxides, and fugitive sulfur dioxide emissions unless the emissions of such are limited by an Air Quality Permit condition or Federal or State rule or regulation;
- (f) Particulate matter emissions resulting from the combustion of distillate oil (Number 2 or lighter), gaseous fuels, and liquefied petroleum gas;
- (g) Sulfur dioxide emissions resulting from the combustion of wood, bark, and other fuels with a sulfur content of equal to or less than 0.10% (dry basis);
- (h) Nitrogen oxides emissions resulting from thermal or catalytic fume incinerators used for the sole purpose of controlling air emissions;
- (i) Particulate matter emissions from any process whose only particulate matter emission limit is Georgia Rule 391-3-1-.02(2)(e) or 391-3-1-.02(2)(p), **and**
 - 1. is exclusively used for material handling and storage (i.e. bins, silos, hoppers, feeders, conveyors) [if emissions from another process or piece of fuel-burning equipment are vented through the material handling and storage equipment, this exemption (4.1.7(i)1.) is not applicable];
 - or,
 - 2. whose estimated actual particulate matter emissions are less than two tons per year.

(See Section 4.2.2f); and
- (j) Any emissions from a liquid storage tank with a capacity of less than 40,000 gallons or containing a liquid with a vapor pressure of less than or equal to 1.52 psia.
- (k) All criteria pollutants from any emissions sources or activities listed in the “Insignificant Activities based on Emissions Levels” or “Generic Emissions Groups” sections of a Title V Permit that was in effect during the year in which fees are due, were added as an “off-permit change” under 391-3-1-.03(10)(b)6. during or prior to the year in which fees are due and were not included in a Title V permit as of the end of the calendar year in which fees are due, or (for sources which had not been issued a Title V permit as of the end of the calendar year in which the fees are due) were included or eligible to be included in Sections D2, D3, or D6 of a Title V application.

For the purpose of the Air Permit Fee system, “fugitive” emissions are defined as those emissions which could not reasonably pass through a stack, chimney, vent, or other

functionally equivalent opening. Note: The Division does not consider emissions from storage tanks to be fugitive.

4.1.8 Correcting a Submitted Air Emissions Annual Fee Reporting Form

If the owner or operator of a stationary source discovers that a part or all of the information submitted in a Georgia Air Emissions Fee Reporting form is incorrect, a “Georgia Air Emissions Fee Amendment Form” (amendment form) should be submitted. Instructions for completing and filing an amendment form are listed in Section 5.2.

If a stationary source is chosen for process evaluations and/or audits as described in Section 3.2, no amendment forms should be submitted until the audit is complete and all issues are resolved.

4.2 Methods of Calculation

The owner or operator shall use the method listed below which most closely matches the limit for each criteria pollutant from a stationary source, individual process, or piece of fuel-burning equipment. The methods are arranged in order of priority. If more than one limit applies, the highest priority (lowest number) method shall be used. When emissions are not limited in a permit or by a regulatory emission limit, Method 4.2.5 shall be used.

4.2.1a 4,000 Tons or Greater

For any criteria pollutant, the owner or operator may elect to estimate the total annual emissions from the entire stationary source as **4,000 tons or greater**. In this case, 4,000 tons shall be used for calculating fees. If this method is chosen for a criteria pollutant, no other calculations are necessary for that pollutant for the entire stationary source.

4.2.1b Coal-Fired EGUs

For any stationary source that contains a coal-fired EGU, the owner or operator shall report the total annual emissions as follows:

Total permitted heat input capacity for all coal-fired EGUs at the stationary source:

- Below 2,000 million Btu per hour:
 - sulfur dioxide – 3,000 tons
 - nitrogen oxides – 2,000 tons
 - particulate matter – 580 tons
- Equal to or above 2,000 million Btu per hour:
 - sulfur dioxide – 4,000 tons
 - nitrogen oxides – 4,000 tons
 - particulate matter – 4,000 tons

For the purposes of the annual Air Permit Fee system, a coal-fired EGU shall mean any boiler or combustion turbine serving a generator with a nameplate capacity more than 25 MWe that supplies more than one-third of its electric output to any utility power distribution system for sale and is permitted to burn coal.

The total permitted heat input capacity shall be as reported in section D7 of the stationary source's Title V permit application for all coal-fired EGUs permitted to operate at any time during the calendar year in which the fee is based. If the stationary source has not yet submitted a Part 70 permit application, the source shall use the total design capacity as reported in section 2.01 of the stationary source's SIP Air Permit Application for all coal-fired EGUs permitted to operate at any time during the calendar year in which the fee is based.

4.2.2 Methods 4.2.2a through 4.2.2g have equal priority. If more than one is applicable, the owner or operator may select any one of these methods.

4.2.2a Annual Limit

If a stationary source or individual process and/or fuel-burning equipment has a specific **annual or 12-month rolling total emission limit** for a criteria pollutant as a condition of a Georgia Air Quality Permit (permit) or set by a Federal or State rule or regulation, that emission limit (in tons per year) shall be used as a basis for calculating annual fees. If a stationary source or individual process and/or fuel-burning equipment commences initial operation and/or permanently ceases operation during the calendar year, the owner or operator shall use the greater of the actual emissions during the calendar year or the annual allowable limit prorated in months for the portion of the year since operation commenced and/or prior to permanent cessation of operations. If a stationary source or individual process and/or fuel-burning equipment has a specific annual or 12-month rolling total emission limit but did not operate at all during the calendar year, emissions are defined to be zero (0). Operation of a source is defined as the operation of the pollutant-emitting equipment or process at a stationary source for its intended purpose.

For stationary sources that have obtained sulfur dioxide and/or nitrogen oxides emissions using continuous emissions rate monitoring systems (CERMS), that data may be used in lieu of the emission limit to calculate annual permit fees. Methods for using CERMS data are contained in Appendix B.

4.2.2b Weekly, Monthly, or Daily Limit

If a stationary source or individual process and/or fuel-burning equipment has a specific **monthly, weekly, or daily (or any other period of time greater than an hour but less than a year) emission limit** for a criteria pollutant as a condition of a permit or set by a Federal or State rule or regulation, that limit shall be multiplied by the actual number of months, weeks or days (or other applicable period) for which the source was in operation. For the purpose of this method, operation of a source for any period of time during a

month/week/day/(other period) shall be treated as a full month/week/day/(other period) of operation. (This is consistent with regulatory procedures.)

For stationary sources which have obtained sulfur dioxide and/or nitrogen oxides emissions using continuous emissions rate monitoring systems (CERMS), that data may be used in lieu of the emission limit to calculate annual permit fees. Methods for using CERMS data are contained in Appendix B.

4.2.2c Hourly Limit

If a stationary source or individual process and/or fuel-burning equipment has a specific **hourly (or less) emission limit** for a criteria pollutant as a condition of a permit or set by a Federal or State rule or regulation, that limit shall be multiplied by the actual time of operation for the source. Partial hours of operation may be summed when calculating actual annual hours of operation.

For stationary sources which have obtained sulfur dioxide and/or nitrogen oxides emissions using continuous emissions rate monitoring systems (CERMS), that data may be used in lieu of the emission limit to calculate annual permit fees. Methods for using CERMS data are contained in Appendix B.

4.2.2d Concentration Limit

If a stationary source or individual process and/or fuel-burning equipment has a specific **concentration emission limit (grain/dscf, ppm, etc.)** for a criteria pollutant as a condition of a permit or set by a Federal or State rule or regulation, the concentration limit shall be converted to a mass per unit time basis (lb/hr, etc.) using the average gas flow rate under normal operation. If the limit is corrected to a specific diluent concentration and/or moisture concentration, the gas flow rate should be corrected to the same basis as the limit. That mass-per-unit time limit shall then be multiplied by the actual time of operation for the stationary source, fuel-burning, or process equipment for which the emission limit applies. Partial hours of operation may be summed when calculating actual annual hours of operation.

For stationary sources which have obtained sulfur dioxide and/or nitrogen oxide concentrations using continuous emissions monitoring systems (CEMS), that data may be used in lieu of the emission limit to calculate annual permit fees. Methods for using CEMS data are contained in Appendix B.

The following formula should be used to calculate a conversion factor for converting ppm emission limits or rates to units of lb/dscf which can then be used to convert to a lb/hr basis:

$$(2.59 \times 10^{-9} \times M) \text{ lb/dscf} = 1 \text{ ppm} \quad \text{(Equation 2d)}$$

Where: M = pollutant molecular weight
 = 64.07 for SO₂
 = 46.01 for NO_x

4.2.2e Non-(Mass per Unit Time) Limit

If a stationary source or individual process and/or fuel-burning equipment has a **fixed emission limit in units other than mass per unit time** for a criteria pollutant as a condition of a permit or set by a Federal or State rule or regulation (lb/MMBtu, lb/unit of production, lb VOC/gallon of coating solids, etc.) the owner or operator shall use the following formula for calculating the emission rate which is then used for calculating fees.

$$ER = \left(\frac{EL \times AOL}{2000} \right) \quad \text{(Equation 2e)}$$

Where: ER = mass Emission Rate to be used for calculating annual permit fees (tons/year)

EL = allowable Emissions Limit for the pollutant (lb/MMBtu, lb/unit of production, lb VOC/gallon of coating solids delivered to applicator, etc.)

AOL = Annual Operating Level during the calendar year (MMBtu/yr, units of production/yr, gallons/yr of coating solids delivered to applicator, etc.)

If a stationary source uses any non-compliance coatings, emission limits in terms of lb (pound) VOC/gallon of coating must be converted to pound VOC/gallon of coating solids using methods specified in Section 1.8(b)(2) of the Division's Procedures for Testing and Monitoring Sources of Air Pollution. (See Appendix A of this manual.) If only compliance coatings were used, emissions may be calculated using the lb VOC/gallon of coating limit and the total gallons of coating used or applied (as applicable) during the year.

For stationary sources which have obtained sulfur dioxide and/or nitrogen oxide concentrations using continuous emissions monitoring systems (CEMS), that data may be used in lieu of the emission limit to calculate annual permit fees. Methods for using CEMS data are contained in Appendix B.

4.2.2f Formula Limit

If a stationary source or individual process and/or fuel-burning equipment has an **emission limit as either a condition of a permit or set by a Federal or State rule or regulation which is defined by formula and is dependent upon the operating level**, the average operating level during normal operation shall be used to calculate the emission limit (EL). This emission rate (ER) is calculated by multiplying this emission limit (EL) by the actual operating level (OL) and by actual hours of operation during the calendar year (HR/YR).

$$ER = \left(\frac{EL \times OL \times HR / YR}{2000} \right) \quad \text{(Equation 2f1)}$$

Where: ER = Emission Rate in tons per year to be used for calculating annual permit fees

EL = calculated allowable Emissions Limit specified in the rule or regulation for the pollutant (lb/MMBtu, lb/unit of production, etc.). This number is calculated using the average operating level during normal operations.

OL = average hourly Operating Level during the calendar year (MMBtu/hr, units of production/hr, etc.) for periods when the individual process and/or fuel-burning equipment is in operation.

HR/YR = actual hours of operation during the calendar year.

Or, in the case when the calculated emission limit is in pounds per hour, the emission rate (ER) is calculated by multiplying the emission limit in pounds per hour (LB/HR) times the actual hours of operation during the calendar year and converting the result to tons per year.

$$ER = \left(\frac{LB / HR \times HR / YR}{2000} \right) \quad \text{(Equation 2f2)}$$

For stationary sources which have obtained sulfur dioxide and/or nitrogen oxide concentrations using continuous emissions monitoring systems (CEMS) or continuous emission rate monitoring systems (CERMS), that data may be used in lieu of the emission limit to calculate annual permit fees. Methods for using CEMS and CERMS data are contained in Appendix B.

Some of the Georgia Air Quality Control Rules to which this method applies are:

Rule 391-3-1-.02(2)(d)1.(ii) and 2.(ii), Fuel-burning Equipment [Rule (d)]

391-3-1-.02(2)(d)1.(ii) [Rule (d)1] (pre-1972)

$$P = 0.7 \left(\frac{10}{R} \right)^{0.202}$$

or

391-3-1-.02(2)(d)2.(ii) [Rule (d)2]

$$P = 0.5 \left(\frac{10}{R} \right)^{0.5}$$

Where: R = heat input of fuel-burning equipment in million BTU per hour
P = particulate matter emission limit in lb/MMBtu

The owner or operator of a piece of fuel-burning equipment subject to Rule (d) would calculate R using the following formula:

$$R = \frac{a}{b} \quad \text{(Equation 2f3)}$$

Where: a = total heat input to fuel-burning equipment during the calendar year
b = total hours of operation of the fuel-burning equipment during the calendar year

The value of “a” may be obtained by multiplying the quantity of fuel combusted by the heat content (gross calorific value) of the fuel. Where fuel moisture content or fuel mass rate determination is extremely variable or difficult to obtain, “a” may be calculated using the fuel “F” factor and appropriate flow rate and excess air data subject to the approval of the Division.

The value of R calculated using equation 2f3 is used in Rule (d) to calculate the particulate matter emission limit. EL is the calculated particulate matter emission limit (lb/MMBtu) from Rule (d). Also, use the value of R (MMBtu/hr) calculated from equation 2f3 as OL, and use the value of “b” from equation 2f3 as HR/YR. The emission rate (ER) in tons per year can then be derived from Equation 2f1.

If more than one fuel was combusted during the year, the following formula shall be used for calculating the value of “a” in Equation 2f3, the total heat input to the fuel-burning equipment during the year.

$$a = \sum_{i=1}^n Q_i H_i \quad \text{(Equation 2f4)}$$

Where: Q_i = quantity of each type of fuel burned
 H_i = heat content of each type of fuel burned

The specific values of individual fuel heat content listed in the following table may be used for the fuels listed or the owner or operator may use a different content (gross calorific value) for a specific fuel provided that the procedures specified in Appendix A, Method 19 of the Division’s Procedures for Testing and Monitoring Sources of Air Pollutants, or other approved procedures where the procedures in Method 19 are determined by the Director not to be applicable, were used to determine that heat content.

Fuel	Heat Content (gross calorific value)
natural gas	1,000 Btu/cubic ft
liquified petroleum gas (LPG)	94,000 Btu/gallon
#1 fuel oil (kerosene)	137,000 Btu/gallon
#2 fuel oil (distillate)	141,000 Btu/gallon
#4 fuel oil (very light residual)	146,000 Btu/gal
#5 fuel oil (light residual)	148,000 Btu/gal
#6 fuel oil (residual)	150,000 Btu/gal
bituminous coal	13,000 Btu/lb
wood - pine and pine bark (0% moisture)	9,250 Btu/lb
wood - mixed hardwoods (0% moisture)	8,400 Btu/lb
municipal waste (dry basis)	8,600 Btu/lb
refuse derived fuel (RDF)	8,100 Btu/lb
tire derived fuel (TDF)	15,500 Btu/lb
petroleum coke	14,900 Btu/lb

Rule 391-3-1-.02(2)(e), Particulate Emissions from Manufacturing Processes [Rule (e)], and Rule 391-3-1-.02(2)(p), Particulate Emissions from Kaolin and Fuller’s Earth Processes [Rule (p)]

For new equipment [as defined by Rule (e)]:

$$E = 4.1 P^{0.67}; \text{ (for } P \leq 30 \text{ tons/hr)}$$

$$E = 55 P^{0.11} - 40; \text{ (for } P > 30 \text{ tons/hr)}$$

For existing equipment [as defined by Rule (e)]:

$$E = 4.1 P^{0.67}$$

For new equipment [as defined by Rule (p)]:

$$E = 3.59 P^{0.62}; \text{ (for } P \leq 30 \text{ tons/hr)}$$

$$E = 17.31 P^{0.16}; \text{ (for } P > 30 \text{ tons/hr)}$$

For existing equipment [as defined by Rule (p)]:

$$E = 4.1 P^{0.67}; \text{ (for } P \leq 30 \text{ tons/hr)}$$

$$E = 55 P^{0.11} - 40; \text{ (for } P > 30 \text{ tons/hr)}$$

Where: E = particulate matter emissions limit (pounds per hour)

P = process input weight rate (tons per hour)

The owner or operator of a piece of manufacturing equipment subject to Rule (e) or from Kaolin or Fuller’s earth process equipment subject to Rule (p) would calculate P using the following formula:

$$P = \frac{c}{d} \quad \text{(Equation 2f5)}$$

Where: c = total weight of material input to the process during the calendar year in tons
d = total hours of operation of process equipment during the calendar year This value of P calculated using Equation 2f5 is used in the appropriate equation of Rule (e) or Rule (p) to calculate E. Equation 2f2 is then used to calculate the emissions rate (ER) in tons per year for calculating fees. EL is the value of E (lb/hr) from the appropriate equation

from Rule (e) or Rule (p) and HR/YR is the value of d as used in Equation 2f5.

For the purpose of this fee calculation method a “process” is defined as a unit operation or combination of unit operations which cannot be operated independently of each other or which have been specified by the Division to be considered one process subject to the rule. In most instances there will be some type of raw material, intermediate, or product storage or accumulation between “processes” in order to allow for the processes to operate independently. Unless otherwise specified by the Division, this definition shall be used when determining the process input weight rate to be used with Rule (e) or Rule (p). However, a combination of unit operations which are defined as a single process according to this paragraph but have been previously considered by EPD as separate processes for the purpose of determining compliance with Rule (e) or Rule (p) shall continue to be considered separate processes for the purpose of fee calculation.

For a process whose **only** particulate matter emission limit is Rule (e) or Rule (p), the following apply:

- a. The owner or operator may use the maximum pound-per-hour emission rate listed in an appropriate air quality permit application for which a permit or amendment has been issued (and is still valid) for that process when calculating fees in lieu of the pound-per-hour limit calculated using Rule (e) or Rule (p). This option is not applicable if it has been determined that the actual emissions from the process exceed the maximum pound-per-hour emission rate listed in the application. The Division reserves the right to reissue or modify air quality permits based upon emissions data used to calculate fees according to this paragraph.
- b. Equipment used exclusively for material handling and storage (i.e. bins, silos, hoppers, feeders, conveyors) are exempt from the permit fee system. If emissions from another process or piece of fuel-burning equipment are vented through the material handling and storage equipment, the exemption under this paragraph (b) is not allowed.
- c. Processes whose estimated actual emissions are less than two tons per year are exempt from the fee system.

[Note that provisions b. and c. above are the same as exemptions 4.1.7(i).]

4.2.2g Sulfur-in-Fuel Limit

If a stationary source or individual process and/or fuel-burning equipment has a specific **sulfur-in-fuel emission limit** as either a permit condition or Federal or State rule or regulation, the owner or operator shall use the following formulas for calculating the sulfur dioxide emission rate which is then used for calculating fees.

Coal (equation 2g1)

$$ER(\text{tons } SO_2/\text{yr}) = \frac{(38S) \times (\text{tons of coal burned during year})}{2000}$$

Residual Oil (equation 2g2)

$$ER (\text{tons } SO_2/\text{yr}) = \frac{(157S) \times (\text{gallons of residual oil burned during year})}{2 \times 10^6}$$

Distillate Oil (equation 2g3)

$$ER (\text{tons } SO_2/\text{yr}) = \frac{(142S) \times (\text{gals. of distillate oil burned during year})}{2 \times 10^6}$$

Note: For fee calculation purposes, the regulatory sulfur-in-fuel limit for distillate oil (No. 2 fuel oil or lighter) may be assumed to be 0.5%.

Other Fuels (equation 2g4)

$$ER (\text{tons } SO_2/\text{yr}) = \frac{(2S) \times (\text{pounds of fuel burned during year})}{200,000}$$

Where: ER = Emission Rate of sulfur dioxide in tons per year to be used for calculating annual permit fees

S = sulfur-in-fuel limit expressed as a decimal (i.e. for 2.5% sulfur limit, S = 2.5)

If a combination of fuels is combusted, the emission rates shall be calculated for each fuel. The emission rates for each fuel shall be summed to obtain the total emission rate for the stationary source or individual process and/or fuel-burning equipment.

4.2.3 Emission Reduction Requirement

If a stationary source or individual process and/or fuel-burning equipment has an **emission reduction requirement (i.e. control efficiency or required capture and control efficiency) as either a condition of a permit or set by a Federal or State rule or regulation**, the emission rate is the sum of the required emissions reduction applied to the captured emissions plus the un-captured emissions. If capture efficiency is not included as part of the limit, 80% capture efficiency shall be assumed for process equipment unless demonstrated otherwise and 100% capture efficiency shall be assumed for fuel-burning equipment unless demonstrated otherwise.

4.2.4 [Reserved]

4.2.5 No Emission Limit

For any “criteria pollutant” emitted from a stationary source whose emissions are **not limited by any permit condition, rule, or regulation** and are not exempted under Section 4.1.7, the owner or operator shall calculate the estimated actual emission rate for the calendar year. Methods for estimating actual emissions are listed below in order of priority. When more than one source of data can be used to calculate the actual emissions, the method with the highest priority should be used.

- (a) Material balance for VOC emissions except where over 50% of the VOC used is carried out in a product or byproduct (i.e. includes printing, coating, etc. does not include paint mixing, etc.).
- (b) Representative emissions test data, continuous emissions monitor data, or continuous emissions rate monitoring data (i.e. SO₂ or NO_x monitoring systems) during the calendar year for which fees are based. (If more than one emissions test is conducted during the year, all tests conducted shall be used.)
- (c) Representative emissions test data performed during a calendar year other than the calendar year for which fees are based.
- (d) Representative test data from similar processes.
- (e) Emission factors specified by the Division in Section 4.3 of this manual or approved by the Division prior to submittal of the Georgia Air Emissions Fee Reporting form.
- (f) Other emission factors - The owner or operator shall obtain emission factors from the following publications, listed in order of priority. When the emission factor or control efficiency is given as a range of values, the average of the range shall be used.

1. U.S. EPA document AP-42, "Compilation of Air Pollutant Emission Factors," as revised.
2. Emission factors developed by industry or trade associations or government regulatory agencies (may be subject to approval by the Division).
3. Any other published emission factors (may be subject to approval by the Division).

- (g) Material balance.
- (h) Design calculations.
- (i) Best available estimate.

4.3 Emission Factors Specified by the Division

The following emission factors shall be used when calculating emissions using Method 4.2.5(e). Supplemental emission factors not listed here may also be provided or approved by the Division.

4.3.1 Kraft Pulp Mills

- (a) Recovery Boilers
 - i. NO_x (indirect contact evaporator) = 1.50 lb/ton of black liquor solids
 NO_x (direct contact evaporator) = 1.13 lb/ton of black liquor solids
 (reference – 8)
 - ii. VOC (indirect contact evaporator) = 0.16 lb/ton of black liquor solids
 VOC (direct contact evaporator) = 0.41 lb/ton of black liquor solids
 (reference – 8)
 - iii. SO_2 (indirect contact evaporator) = 1.2 lb/ton of black liquor solids
 SO_2 (direct contact evaporator) = 2.3 lb/ton of black liquor solids
 (reference – 9)
- (b) Smelt Dissolving Tanks
 - i. NO_x = 0.03 lb/ton black liquor solids
 (reference – 8)
 - ii. SO_2 = 0.03 lb/ton black liquor solids
 (reference – 8)

- iii. VOC = 0.063 lb/ton black liquor solids
(reference – 9)
- (c) Lime Kilns and Fluid Bed Calciners
 - i. $\text{NO}_x = 2.0$ lb/ton CaO
(reference – 8)
 - ii. $\text{SO}_2 = 0.22$ lb/ton CaO
(reference – 8)
 - iii. VOC = 0.052 lb/ton CaO
(reference – 9)
- (d) Brown Stock Washers

VOC (vacuum drum type) = 0.29 lb/ton air dried unbleached pulp
VOC (all other types) = 0.18 lb/ton air dried unbleached pulp
(reference – 9)
- (e) Foul Condensate Strippers

VOC = 14.1 lb/ton air dried unbleached pulp
(if these gases are incinerated, VOC = 0)
(references – 6,7)
- (f) Black Liquor Oxidation Towers

VOC = 0.12 lb/ton black liquor solids
(reference – 9)
- (g) Bleach Plant Vents

VOC = 0.092 lb/ton air dried pulp
(reference – 9)
- (h) Oxygen Delignification Reactors

VOC = 0.47 lb/ton air dried pulp
(reference – 9)
- (i) Tall Oil Reactors

VOC = 12.0 lb/ton tall oil
(reference – 9)

4.3.2 Fossil-Fuel Fired Boilers - Nitrogen Oxides Emissions
(Reference – 3)

(a) Bituminous and Sub-Bituminous Coal Combustion

Pulverized Coal Fired

Dry Bottom, Wall Fired, Bituminous

Pre-NSPS = 22 lb/ton of coal fired

Pre-NSPS with low-NO_x Burner(s) = 11 lb/ton of coal fired

Dry Bottom, Wall Fired, Sub-Bituminous

Pre-NSPS = 12 lb/ton of coal fired

Dry Bottom, Cell Burner Fired

Bituminous = 31 lb/ton of coal fired

Sub-Bituminous = 14 lb/ton of coal fired

Dry Bottom, Tangentially Fired, Bituminous

Pre-NSPS = 15 lb/ton of coal fired

Pre-NSPS with low-NO_x Burner(s) = 9.7 lb/ton of coal fired

Dry Bottom, Tangentially Fired, Sub-Bituminous

Pre-NSPS = 8.4 lb/ton of coal fired

Wet Bottom, Wall Fired

Bituminous, Pre-NSPS = 31 lb/ton of coal fired

Sub-Bituminous = 24 lb/ton of coal fired

Wet Bottom, Tangentially Fired, Bituminous = 14 lb/ton of coal fired

Cyclone Furnace

Bituminous = 33 lb/ton of coal fired

Sub-Bituminous = 17 lb/ton of coal fired

Spreader Stoker

Bituminous = 11 lb/ton of coal fired

Sub-Bituminous = 8.8 lb/ton of coal fired

Overfeed Stoker = 7.5 lb/ton of coal fired

Underfeed Stoker = 9.5 lb/ton of coal fired

Fluidized Bed Combustion

Circulating Bed = 5.0 lb/ton of coal fired

Bubbling Bed = 15.2 lb/ton of coal fired

(b) Residual Fuel Oil Combustion

Rated Heat Input > 100 MMBtu/hr

No. 6 Oil

Normal Firing = 47 lb/1,000 gallon oil fired

Normal Firing, Low-NO_x Burner(s) = 40 lb/gallon oil fired

Tangential Firing = 32 lb/1,000 gallon oil fired

Tangential Firing, Low-NO_x Burner(s) = 26 lb/1,000 gallon oil fired

No. 5 and/or No. 4 Oil

Normal Firing = 47 lb/1,000 gallon fired

Tangential Firing = 32 lb/1,000 gallon fired

Rated Heat Input < 100 MMBtu/hr

No. 5 and/or No. 6 Oil Fired = 55 lb/1,000 gallons oil fired

No. 4 Oil Fired = 20 lb/1,000 gallons fired

(c) Distillate Fuel Oil Combustion

Rated Heat Input > 100 MMBtu/hr

Uncontrolled = 24 lb/1,000 gallon oil fired

Low-NO_x Burners and Flue Gas Recirculation = 10 lb/1,000 gallon oil fired

Rated Heat Input < 100 MMBtu/hr = 20 lb/1,000 gallon oil fired

d) Natural Gas Combustion

Rated Heat Input > 100 MMBtu/hr

Wall Fired

Uncontrolled, Pre-NSPS = 280 lb/10⁶ scf fired

Low-NO_x Burners = 140 lb/10⁶ scf fired

Flue Gas Recirculation = 100 lb/10⁶ scf fired

Tangential Fired

Uncontrolled = 170 lb/10⁶ scf fired

Flue Gas Recirculation = 76 lb/10⁶ scf fired

Rated Heat Input < 100 MMBtu/hr

Uncontrolled = 100 lb/10⁶ scf fired

Low-NO_x Burners = 50 lb/10⁶ scf fired

Low-NO_x Burners and Flue Gas Recirculation = 32 lb/10⁶ scf fired

(e) Liquefied Petroleum Gas Combustion

Butane

Rated Heat Input > 10 MMBtu/hr = 21 lb/1,000 gallons fired

Rated Head Input < 10 MMBtu/hr = 15 lb/1,000 gallons fired

Propane

Rated Heat Input > 10 MMBtu/hr = 19 lb/1,000 gallons fired

Rated Head Input < 10 MMBtu/hr = 14 lb/1,000 gallons fired

4.3.3 Wood and Bark Combustion in Boilers

(Reference – 8)

(a) NO_x

Spreader Stoker = 1.76 lb/ton of wet wood residue fuel fired

Fuel Cells/Dutch Ovens = 1.43 lb/ton of wet wood residue fuel fired

Fluidized Bed = 1.42 lb/ton of wet wood residue fuel fired

(b) VOC

Spreader Stokers that use pulp mill condensates in scrubber = 0.12 lb/MMBtu

Spreader Stoker (all others) = 0.034 lb/MMBtu

Fuel Cells/Dutch Ovens = 0.016 lb/MMBtu

Fluidized Bed = 0.001 lb/MMBtu

4.3.4 Stationary Gas Turbines for Electrical Generation - Nitrogen Oxides Emissions

(Reference - 3)

(a) Natural Gas

Uncontrolled = 0.44 lb/MMBtu

Water Injection = 0.14 lb/MMBtu

Steam Injection = 0.12 lb/MMBtu

(b) Distillate Fuel Oil

Uncontrolled = 0.70 lb/MMBtu

Water Injection = 0.29 lb/MMBtu

4.3.5 Stationary Diesel Engines - Nitrogen Oxides Emissions

(Reference - 3)

(a) >600 hp

Uncontrolled = 3.2 lb/MMBtu

Controlled with Ignition Timing Retard = 1.9 lb/MMBtu

(b) ≤ 600 hp = 4.41 lb/MMBtu

4.3.6 Fiberglass Molding - VOC Emissions

VOC emissions from fiberglass molding operations shall be calculated in accordance with Appendix H of the most current version of Division's Procedures for Testing and Monitoring Sources of Air Pollutants. The Procedures for Testing and Monitoring Sources of Air Pollutants can be viewed and/or downloaded at the Air Protection Branch's website at: <https://epd.georgia.gov/air-protection-branch-technical-guidance-0/procedures-testing-and-monitoring-sources-air-pollutants>.

References for Section 4.3

- 3 U.S. EPA Document AP42.
- 6 National Council of the Paper Industry for Air and Stream Improvement, Inc. (NCASI) technical bulletin, May 1988.
- 7 U.S. EPA Document EPA-450/2-78-003b.
- 8 NCASI Special Report No. 02-06, Research Triangle Park, N.C.
- 9 NCASI 2003. *Compilation of "air toxic" and total hydrocarbon emissions data for sources at kraft, sulfite and non-chemical pulp mills – an update.* Technical Bulletin No. 858. Research Triangle Park, N.C.

5.0 FILLING OUT THE GEORGIA AIR EMISSIONS ANNUAL FEE FORMS

5.1 Reporting Form

The Georgia Environmental Connections Online (GECO) application air emissions fee reporting form must be used for reporting the annual Air Permit Fees due the previous calendar year and for submitting quarterly payments. The GECO fee form can be accessed at <https://geco.gaepd.org/>. To get to the GECO facility fee form, log in using a username and password and then select the appropriate facility AIRS number from the user home. Once selected, the application navigates to the specific facility home where the Emission Fees application can be accessed. After selecting the Emission Fees button, the fee application loads, and an option is given to select a specific fee year. To begin working on the 2024⁵ calendar year fees, select 2024⁵.

The GECO Emission Fees application is structured as follows:

The AIRS Number of the facility and some additional information about the facility will be listed in the header of the form. Just below the header is a Menu bar with the following options:

- “Welcome” tab – Additional information about the annual fee submission
- “Fee Contact” tab – Updates the fee contact for a facility and is the address where the annual fee letter is mailed. This can be updated at any time.
- “Fee Calculations” tab* – Assists in collecting the emission and fee data for the specified calendar year.
- “Sign & Pay” tab* - Completes the submission of a fee year.
- “Supporting Documents” tab – Provides access to the Fee Manual, calculation worksheets, and amendment forms.
- “Print Reports” tab
- “Print Invoice” button – Available only for fee years with submitted information. Displays the fee invoice for the selected year.

* Available only when fees have not been submitted for the calendar year.

This menu bar can be used as a navigation tool to go to various sections of the GECO Emission Fees application.

You can click on any of the items in the menu to fill in the information for that section. At the bottom of each section is a button “Save and Continue.” When this button is clicked, the information entered for that section ONLY would be validated and stored, if complete. Clicking on any other links will not validate or store the information.

The following are item-by-item instructions for completing the online form. These instructions and the on-line Fee Forms are subject to revision by the Director.

Facility Information Section

- The Air Branch has determined if the facility is subject to NSPS, the Class of the facility, and whether or not the facility is located in the 1-Hour Ozone Maintenance Area. This information is pre-filled at the top. If the facility believes that this information is incorrect, changes can be made in the available blanks.

The information for the following items in the facility information section should be pre-filled and will correspond to the stationary source. If this information is not filled in or if any of this information is incorrect, enter the correct information in the boxes.

Complete only if the pre-filled information is incorrect or missing

- Fee Contact Person - The Company must designate a person to whom all inquiries and correspondence regarding permit fees be directed. This does not have to be the same as the person listed in the “Sign and Submit” section, nor do they have to be an employee of the facility. This is a required field.
- Title - Enter the title of the contact person (i.e. company attorney, consultant, corporate accountant, plant manager, environmental supervisor, plant engineer). This is a required field.
- Area Code & Phone Number – Enter the area code and phone number of the contact person. This is a required field.
- Email Address - Enter the email address of the contact person. This is a required field.
- Mailing Address Name – Enter the company or corporate name that corresponds to the mailing address for contact person listed above. This is a required field.
- Facility Name and Location (street & city) – This is already pre-filled. If you believe that this information is incorrect, please fill in the correct information at the bottom of the form.

Fee Calculations Section

This section should be completed when reporting the Permit Fee due for the previous calendar year. Do not complete this section when submitting quarterly payments due in October, January, or April (or other due dates as may be specified by the Director).

Sources that are not classified as Part 70 Major Sources do not have the ability to enter in the total annual emissions for the stationary source. The Division’s classification of each source is shown in the box labeled “CLASS” at the top of the GECO Emission Fees application. A Part 70 Major Source will have the

classification of “A.” Classifications for non-Major sources are “B” for minor sources, “SM” for synthetic minor sources, and “PR” for permit-by-rule sources. If the value in the CLASS box is B, SM, or PR, the calculated emissions section is not displayed.

- Annual VOC/NO_x/PM/SO₂ Emissions in Tons - After the total annual emissions for each of the four pollutants (as specified in Section 4.0 of this manual) have been calculated, round that figure for each pollutant off to the nearest ton (i.e. 100.4 tons would be rounded down to 100 tons, 100.5 tons would be rounded up to 101 tons) and enter the results in the appropriate boxes. If the amount calculated for any pollutant is greater than 4,000 tons, enter 4,000 in the box for that pollutant. If a particular pollutant is not emitted from a stationary source or if all emissions of a pollutant are exempt from fee calculations (as defined in Section 4.1.7 of this manual) enter 0 in the block for that pollutant.

Based on the annual emissions entered, Fees for VOC/NO_x/PM/SO₂ will be calculated and shown in the appropriate column.

- Total Part 70 Fee – This will be calculated automatically and displayed.

NSPS, Synthetic Minor, and Part 70 Fees

- Part 70/SM Fee - If the source is a Part 70 source, check “Part 70 Fee.” If the source is a Synthetic Minor Source, check “Synthetic Minor Fee.” If the source is both a Part 70 Source and a Synthetic Minor Source, check both boxes (“Part 70 Fee” and “Synthetic Minor Fee”). The fee will be calculated automatically and displayed.
- If the stationary source is subject to a Federal New Source Performance Standard (NSPS) you must pay the annual NSPS Fee. NOTE THAT THE NSPS FEE IS DUE EVEN IF THE SOURCE MUST PAY A PART 70 FEE OR SYNTHETIC MINOR ANNUAL FEE. For each stationary source, the Division has already determined whether that stationary source is subject to NSPS if a check mark appears in the box marked “NSPS” near the top of the form. If your stationary source is subject to an NSPS, but all of the facility’s NSPS sources are exempted from the NSPS minimum fee as specified in Section 3.0 of the manual, check the box on the form indicating so. If the NSPS box is checked but it is believed that this stationary source is not subject to any NSPS standard, call the number listed in Section 6.0 of this manual. If the stationary source is subject to an NSPS standard and is not already shown as such, then check the NSPS box. See Section 3.3.1 of this manual for further explanation of the NSPS Fee. The NSPS fee will be calculated automatically and shown in the appropriate column displayed.
- Total Emissions Fee Due - This is the total fee due based on the input provided and selections. **If the amount in this box is \$0 (total fee due), the online fee form must still be completed and submitted.**

- Administrative Fee – This is the additional fee that is applied to the Total Emissions Fee Due, if the fee is submitted after September 21 following the fee submittal deadline. See Section 3.3.4 for additional information.

Payment Information Section

- Payment is for (check one) - If the facility is submitting payment for the entire fee due for the previous calendar year, check “Entire Annual Fee.” If the total fee due is \$10,000 or greater, it may be paid on a quarterly basis (four equal quarterly payments).
- Total Emissions Fee Due – Based on the total fee due and the payment type selection, the amount will be displayed.
- Administrative Fee - If the fee information is submitted through GECO after September 21 following the fee submittal deadline, this is the additional fee that is applied to the Total Emissions Fee Due. See Section 3.3.4 for additional information.
- Total Fee Due – This is the Total Emissions Fee Due plus the Administrative Fee that is due for the given Fee Year.

Sign and Submit Section

- The name and title of the person who assumes legal authority for information shall be entered here. This information is required before final submission.
- Final Submit - Makes a final submission and completes the annual fee submission. Once the Fee form is submitted, no further changes can be made to the online fee form. However, the submitted data and invoice can always be printed from the GECO Fee application.

5.2 Amendment Form

If the owner or operator of a stationary source wishes to amend a Georgia Air Emissions Annual Fee Reporting Form (reporting form) which has been submitted, a “Georgia Air Emissions Fee Amendment Form” (amendment form) should be submitted. The fee amendment form can be found on the “Supporting Documents” tab of the GECO Emission Fees application. The following are item-by-item instructions for completing the amendment form. These instructions and the amendment form are subject to revision by the Director. Each item below corresponds to an identically-numbered box or item on the form.

Facility Information and Mailing Address

1. AIRS # - This is a unique number assigned to each stationary source which is used to track activity regarding that source. The AIRS # for each stationary source appears on the pre-filled fee form for that source. Enter the AIRS # for the stationary source for which the amendment form is being submitted in this space.
2. FEI # - Enter your **Federal Employer Identification Number** (same as Federal tax I.D.) This number is necessary in order to process a refund if your facility has overpaid its emissions fees.
- 3-13. This is the same information as on the reporting form. If any of the information in this section is different than the information that was most recently submitted on an emissions fee form, check the box at the bottom of this section.

Information to be Amended

In this section, you will enter information as it was reported on the original form which is being amended and then enter the corrected information.

14. In boxes 14.a. and 14.b., put the date which is on the reporting form which is being amended and the calendar year of the fees. The date in Box 14.a. should correspond to the date contained in the “signature” or “sign and submit” section of the fee reporting form which is being changed.
- 15-18. Previous VOC/NO_x/PM/SO₂ - These boxes should contain the annual emissions (in tons) of each of the four pollutants as they were reported on the original form.
- 19-22. Corrected VOC/NO_x/PM/SO₂ - In each of these four boxes, enter the corrected annual emissions (in tons) for each of the four pollutants. If the corrected emissions value is the same as originally reported (for example, you are correcting the emissions for one of the pollutants, but the other three are unchanged) the same value should be entered in the “Previous...” and “Corrected...” boxes.
- 23-26. Previous VOC/ NO_x /PM/SO₂ Fee - Enter the “ANNUAL FEE” as reported on the original form.
27. Previous Calculated Fee/Part 70/SM Fee - Enter the amount from “Total Calculated Fee” (1993 through 1999 forms) or “Total Part 70/SM Fee” (2000 and beyond forms) as reported on the original form. The 1991 and 1992 forms did not contain this box. If you are amending a 1991 or 1992 form, put “n/a” in this box.
28. Previous Minimum Fee/NSPS Fee - Enter the amount reported in the box labeled “Minimum Fee” or “NSPS Fee” on the original form. Note that the number in this box should either be 0, \$1,000, \$1,250, \$1,400, \$1,500, \$1,900, or \$2,470.

This item did not exist on the 1991 and 1992 forms. If you are amending a 1991 or 1992 form, put “n/a” in this box.

29. Previous Total Fee - Enter the amount from “Total Fee Due” as reported on the original form.
- 30-33. Corrected VOC/ NO_x/PM/SO₂ Fee - Enter the corrected annual fee for each of the four pollutants. If the correct fee is the same as the “Previous Fee,” enter that number in the “Corrected Fee” box.
34. Corrected Calculated Fee/Part 70/SM Fee - If the source is a Part 70 Source, add boxes 30. through 33. and put the result in Box 34.a. For Calendar Years 2000 through 2001 fees, if the total of boxes 30. through 33. is less than \$2,500, enter \$2,500 in box 34.a. if the source is a Part 70 **Major** source. For Calendar Years 2002-2004 fees, if the total of Boxes 30. through 33. is less than \$2,500, enter \$2,500 in box 34.a. if the source is a Part 70 source (major or non-major). For Calendar Years 2005 through 2009, if the total of boxes 30. through 33. is less than \$3,800, enter \$3,800 in Box 34.a. if the source is a Part 70 Source. For Calendar Years 2010 and 2011, if the total of boxes 30. through 33. is less than \$4,100, enter \$4,100 in Box 34.a. if the source is a Part 70 Source. For Calendar Years 2012 through 2023, if the total of boxes 30. through 33. is less than \$4,500, enter \$4,500 in Box 34.a. if the source is a Part 70 Source. For Calendar Years 2024 and beyond, if the total of boxes 30. through 33. is less than \$5,850, enter \$5,850 in Box 34.a. if the source is a Part 70 Source. For Calendar Years 2019 through 2023, enter \$650 in Box 34.b. if the source is a Part 70 Source. For Calendar Years 2024 and beyond, enter \$1,300 in Box 34.b. if the source is a Part 70 Source. For Calendar Years 2000 through 2004 fees, if the source is a Synthetic Minor Source, enter \$1,000 in Box 34.a. For Calendar Years 2005 through 2009, if the source is a Synthetic Minor Source, enter \$1,500 in Box 34.a. For Calendar Years 2010 through 2018, if the source is a Synthetic Minor Source, enter \$1,700 in Box 34.a. For Calendar Years 2019 through 2023, if the source is a Synthetic Minor Source, enter \$2,100 in Box 34.a. For Calendar Years 2024 and beyond, if the source is a Synthetic Minor Source, enter \$2,730 in Box 34.a. Enter “0” in Box 34.b. for sources that are not Part 70 Sources.
35. Corrected Minimum Fee/NSPS Fee - If the source was subject to a “minimum fee” for NSPS, Title III, or Part 70 (see Section 3.0 of the Fee Manual for the appropriate year) enter the appropriate minimum fee in Box 35. Otherwise, enter “0.” Note that the NSPS minimum fee has been in place for Calendar Year 1993 fees and beyond and is \$1,000 for Calendar Years 1993 through 1999, \$1,500 for Calendar Years 2000 through 2018, \$1,900 for Calendar Years 2019 through 2023, and \$2,470 for Calendar Years 2024 and beyond; the Title III minimum fee was in place for Calendar Year 1993 through 1995 fees and was \$1,000; and the Part 70 minimum fee is in place for Calendar Years 1996 through 1999 fees and was \$1,250 for Calendar Year 1996 fees and \$1,400 for Calendar Year 1997 through 1999 fees.

36. Corrected Total Fee - For Calendar Years 1991 through 1999 fees, enter the greater of Boxes 34.a. and 35. For Calendar Years 2000 and beyond fees, enter the total of Boxes 34.a., 34.b., and 35.

Payment Refund

- 37-38. If the amount in Box 29. "Previous Total Fee" is greater than the amount in box 36. "Corrected Total Fee," check the box on line 37 and enter the amount that should be refunded to you in Box 38. A refund will be sent to you following receipt and approval of your amendment.
- 39-40. If the amount in Box 29. "Previous Total Fee" is less than the amount in Box 36. "Corrected Total Fee", check the box on line 39 and enter the amount you owe in Box 40. A check for the amount shown in Box 40. should be made out to "Georgia Department of Natural Resources" and submitted along with the amendment form.

Signature

- 41-44. The name and title of the person who assumes legal authority for information contained in the form shall be entered here. That person should then sign and date the form. Any form submitted without this information and a signature will be considered incomplete.

Unless otherwise specified by the Director, amendment forms and payments should be submitted to the following address:

Air Quality Fees
Post Office Box 101713
Atlanta, Georgia 30392

This address is shown on the form. Checks should be made out to "Department of Natural Resources."

6.0 WHERE TO GET HELP

6.1 Application Fees

Assistance related to Air Permit Application Fees can be obtained by calling the engineer within EPD's Air Protection Branch's Stationary Source Permitting Program who is assigned to your facility. If you do not know which engineer is assigned to your facility, call the Air Protection Branch at 404/363-7000 and ask for the permitting engineer assigned to your facility.

6.2 Annual Fees

Assistance related to Annual Air Permit Fees or forms can be obtained by calling the engineer within EPD's Air Protection Branch's Stationary Source Compliance Program who is assigned to your facility. If you do not know which engineer is assigned to your facility, call the Air Protection Branch at 404/363-7000 and ask for the compliance engineer assigned to your facility.

6.3 Georgia Environmental Connections Online (GECO)

For questions related to the GECO system, please email support@gaepd.zendesk.com. Assistance is available from 8:30 AM to 4:00 PM, Monday through Friday, excluding holidays.

APPENDIX A – EXCERPT FROM DIVISION’S PROCEDURES FOR TESTING AND MONITORING SOURCES OF AIR POLLUTION

Procedure for converting emission limits in terms of lb VOC/gallon of coating to lb VOC/gallon of solids. The following is section 1.8(b)(2) as stated in the Division’s Procedures for Testing and Monitoring Sources of Air Pollution.

1.8(b)(2) Calculate the emission limitation on a solids basis according to the following equation:

$$S = \frac{C}{1 - \left(\frac{C}{d}\right)}$$

Where:

- S = the VOC emission limitation in terms of kg VOC/L of coating solids (lb. VOC/gal. coating solids);
- C = the VOC emission limitation in terms of kg VOC/L of coating (lbs./gal.), minus water and exempt compounds; and
- d = the density of VOC for converting emission limitation to a solids basis. The density equals 0.882 kg/L (7.36 lb./gal.), unless otherwise approved or specified in a specific case.

APPENDIX B – USE OF CONTINUOUS EMISSIONS MONITORING SYSTEMS OR CONTINUOUS EMISSION RATE MONITORING SYSTEMS FOR CALCULATING EMISSIONS

An owner or operator who chooses to determine pollutant mass emissions rates using continuous emissions monitoring systems shall comply with the following procedures and methods:

- I. Continuous emissions monitoring systems (CEMS) or continuous emission rate monitoring systems (CERMS) shall meet all applicable performance specifications contained in the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**.
- II. The quality assurance procedures of Appendix F contained in the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** shall be used to establish the validity of all CEMS data which are used to calculate mass emissions.
- III. The mass emissions for a stationary source, individual process or piece of fuel-burning equipment shall be calculated for each calendar month in the reporting period. A calendar month is defined as any of the 12 months of the calendar year. The total mass emissions for the reporting period shall be the sum of the mass emissions for each calendar month in the reporting period. Mass emissions for a calendar month shall be calculated using hourly average pollutant emission rates for each hour of operation. An hour of operation is defined as any of the 24 equal parts of the 24-hour period between 12:00 midnight and the following midnight during which a stationary source, individual process or piece of fuel-burning equipment is operated.
- IV. An owner or operator shall use the following procedures and methods for calculating mass emissions for a stationary source, individual process or piece of fuel-burning equipment using CEMS or CERMS data, or the Division may approve on a case-by-case basis other procedures or methods if the owner or operator can demonstrate that the alternate procedures and methods yield comparable results and comparable accuracy.

A. Fossil Fuel-Fired Equipment

- 1) The continuous emission monitoring system shall measure pollutant concentrations and either oxygen (O₂) or carbon dioxide (CO₂) concentrations. The pollutant emission rate expressed as pounds-per-million BTU heat input shall be calculated using the F-factor equations and values in Method 19 of the Division's **Procedures for Testing and Monitoring Sources of Air Pollutants** for each hour of operation. Each one-hour average pollutant emission rate (lbs./million BTU) must be based on more than 30 minutes of fuel-fired equipment operation and include at least two data points with each representing a 15-minute period, otherwise the data for that hour is considered to be invalid.

- 2) Hourly average pollutant emission rates (lbs./MM BTU) are calculated using appropriate F-factor equations of the form shown below. Method 19 shall be used to determine the specific equation for reducing the CEMS data to pounds per million BTU depending on the moisture basis of the measurements:

$$EH = FC \frac{20.9}{20.9 - \%O_2} \quad \text{(Equation 1)}$$

Where:

F = oxygen based F-factor

C = pollutant concentration

%O₂ = oxygen concentration

or,

$$EH = FC \frac{100}{\%CO_2} \quad \text{(Equation 2)}$$

Where:

F = carbon dioxide based F-factor

C = pollutant concentration

%CO₂ = carbon dioxide concentration

For equipment which combusts combinations of fuels, a composite F-factor shall be calculated using Equation 19-18 contained in Method 19.

- 3) The pollutant mass emissions rate for a calendar month shall be calculated by:

$$ER = [EH \times QM] + [EL \times QL] \quad \text{(Equation 3)}$$

Where:

ER = mass emission rate, pounds/month

EH = hourly average emission rate from CEMS data for the month calculated using the appropriate F-factor equation, lbs./MM BTU

QM = total heat input during periods of operation for which valid emissions data have been obtained for the month, MM BTU

- EL = allowable emissions limit specified in the permit, rule or regulation for the pollutant, lbs./MM BTU
- QL = total heat input during periods of operation for which valid pollutant emissions data have not been obtained for the month, MM BTU

Heat input (QM, QL) shall be calculated using the following equation:

$$QM, QL = \sum_{i=1}^N Q_i W_i \quad (\text{Equation 4})$$

Where:

- Q_i = heat content of fuel, BTU/lb., BTU/gal., BTU/CF
- W_i = quantity of fuel combusted during each period of operation, lbs., gals., CF

B. Recovery Furnaces

- 1) The continuous emissions monitoring system shall measure pollutant concentrations and oxygen concentrations. The pollutant emission rate shall be calculated using Equations 5 or 6 for each hour of operation. Each one-hour average pollutant emission rate expressed as pounds per pound of black liquor solids must be based on more than 30 minutes of Recovery Furnace operation and include at least two data points with each representing a 15-minute period.
- 2) Hourly average pollutant emission rates shall be calculated by:
 - a. Dry Basis

$$EH = C_d F_d \frac{20.9}{20.9 - \%O_{2d}} \quad (\text{Equation 5})$$

Where:

- C_d = pollutant concentration, lbs./dscf
- F_d = F factor - established by performance tests, dscf/lb.-black liquor solids

$\%O_{2d}$ = oxygen concentration, dry basis

or,

b. Wet Basis

$$EH = C_w F_w \frac{20.9}{20.9 - \%O_{2w}} \quad (\text{Equation 6})$$

Where:

C_w = pollutant concentration, lbs./actual standard cubic foot

F_w = F-factor - established by performance tests, actual standard cubic feet/lb.-black liquor solids

$\%O_{2w}$ = oxygen concentration, wet basis

3) The pollutant mass emissions rate for a calendar month shall be calculated by:

$$ER = [EH \times BS] + [EL \times H] \quad (\text{Equation 7})$$

Where:

ER = mass emission rate, pounds/month

EH = hourly average emission rate from CEMS data for the month, lbs./lb-black liquor solids

BS = total black liquor solids fired during periods of furnace operations for which valid emissions data have been obtained for the month, lbs.-black liquor solids

EL = allowable emissions limit, specified by permit, rule or regulation, lbs./hr.

H = number of hours of furnace operation for which valid emissions data have not been obtained for the month

C. **Determination of Pollutant Mass Emission Rates using Continuous Flow Monitors**

1) Continuous flow monitors which are used in a continuous emissions monitoring system for determining pollutant mass emission rates shall conform

to all installation and performance specifications published in 40CFR75, Appendix A.

- 2) The continuous emissions monitoring system shall include a monitor for measuring pollutant concentration. The pollutant emission rate shall be calculated using Equation 8. Each 1-hour average pollutant emission rate expressed as pounds per hour must be based on more than 30 minutes of process operation and include at least two data points with each representing a 15-minute period, otherwise the data for that hour is considered invalid.
- 3) Hourly average pollutant mass emission rates in terms of pounds per hour shall be calculated by:

$$ERH = Flow \times C_w \quad (\text{Equation 8})$$

Where:

Flow = flow monitor output, actual standard cubic feet per hour

C_w = pollutant concentration, pounds per actual standard cubic foot, wet basis

[Note: Pollutant concentrations measured on a dry basis must be corrected to a wet basis using a moisture correction factor approved by the Division.]

- 4) Total pollutant mass emissions for the reporting period shall be calculated by:

$$ER = \left(\sum ERH_i \right) + (EL \times H) \quad (\text{Equation 9})$$

Where:

ER = mass emissions rate, lbs./month

ERH = hourly average pollutant mass emissions from CEMS data, lbs./hr.

EL = allowable emissions limit, lbs/hr

H = hours of operation for which valid emission data have not been obtained during periods of process operations

D. **Determination of Pollutant Mass Emission Rates using a Continuous Emission Rate Monitoring System (CERMS) Not Subject to 40 CFR 75**

- 1) The CERMS shall include a CEMS monitor for measuring and recording pollutant concentration. The CEMS shall meet the performance specifications and quality assurance procedures of Appendix B, I and II, above. The CERMS shall also include a monitoring device for measuring and recording stack actual (or dry standard) cubic feet per minute volumetric flow rate. The CERMS shall meet the RATA requirements of Appendix F from II above. All continuous monitoring systems for measuring emissions shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. The hourly pollutant emission rate shall be calculated using Equation 10. Each one-hour average pollutant emission rate must be based on more than 30 minutes of operation and include at least two data points each representing a 15-minute period, otherwise the data for that hour is considered to be invalid. Periods of monitor downtime shall be considered invalid during process operations.

- 2) Hourly average pollutant mass emission rates in terms of pounds per hour shall be calculated by:

$$ERH = \sum Flow \times C \quad \text{(Equation 10)}$$

Where:

Flow = flow monitor output, actual (or dry) standard cubic feet per minute

C = pollutant concentration, pounds per actual (or dry) standard cubic foot

- 3) Total pollutant mass emissions for the reporting period shall be calculated by:

$$ER = \left(\sum ERH_i \right) + (EL \times H) \quad \text{(Equation 11)}$$

Where:

ER = mass emissions rate, lbs./reporting period

ERH = hourly average pollutant mass emissions from CEMS data, lbs./hr.

EL = allowable emissions limit, lbs/hr

H = hours of operation for which valid emission data have not been obtained during periods of process operations



May 11, 2026

MEMORANDUM

To: Members, Board of Natural Resources

From: Kate Iannuzzi, Deputy Executive Counsel

Re: Sale of General Obligation Bonds pursuant to the FY 2023-2024 and FY 2026-2027 General Appropriations Acts

In the General Appropriations Acts for FY 2023-2024 and FY 2026-2027, the General Assembly included items for DNR projects with a total value of \$25,650,000 that are to be funded by General Obligation bonds. The Georgia State Financing and Investment Commission (GSFIC) determined that it would be most advantageous to sell the bonds for these projects, along with bonds for other agencies and authorities, in several sales spread throughout the year.

One of those sales is now being considered and includes all \$25,650,000 of DNR's money. The projects that DNR will fund with the proceeds of this sale are \$25,650,000 for the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities. Of the \$25,650,000 for DNR projects, \$3,800,000 will be issued as federally taxable bonds. This means that they can be used for projects at state owned facilities that are privately operated.

The State Law Department has prepared a Resolution concerning these bonds for consideration by the Board at its next meeting. In the Resolution, the Board requests the issuance of the bonds. A copy of the Resolution is attached for your review.

We would appreciate your favorable consideration of the Resolution.

KLI/Attachments

**RESOLUTION
OF THE
BOARD OF NATURAL RESOURCES**

I. WHEREAS, the Department of Natural Resources (the “Department”) was created as a department of the State of Georgia (the “State”) in accordance with O.C.G.A. § 12-2-1;

II. WHEREAS FURTHER, the Board of Natural Resources (the “Board”), may make such rules and regulations as it may deem advisable to govern the work of the Department and has the power to establish the general policies to be followed by the Department, in accordance with O.C.G.A. § 12-2-24;

III. WHEREAS FURTHER, pursuant to Article VII, Section IV of the Constitution of the State of Georgia (the “Georgia Constitution”), the State may finance certain capital needs directly through the issuance of general obligation debt;

IV. WHEREAS FURTHER, pursuant to Article VII, Section IV, Paragraph VII(a) of the Georgia Constitution, and the “Georgia State Financing and Investment Commission Act”, O.C.G.A. § § 50-17-20 through 50-17-30, as amended (the “Commission Act”), the Georgia State Financing and Investment Commission (the “Commission”) is the agency and instrumentality of the State charged with issuing debt of the State and ensuring the proper application, as provided by law, of the proceeds of such debt to the purposes for which the debt is incurred;

V. WHEREAS FURTHER, Article VII, Section IV, Paragraph I (c) of the Georgia Constitution, and the Commission Act provide that certain general obligation debt (as defined by O.C.G.A. § 50-17-21 (5) and hereinafter “General Obligation Debt”) may be incurred to acquire, construct, develop, extend, enlarge, or improve land, waters, property, highways, buildings, structures, equipment, or facilities of the State, its agencies, departments, institutions, and of those State authorities which were created and activated prior to November 8, 1960;

VI. WHEREAS FURTHER, as set forth in **ATTACHMENT 1** attached hereto and incorporated herein, the General Assembly of the State of Georgia (the “General Assembly”) has passed various appropriations acts authorizing amounts from state general funds to be appropriated for the purpose of financing certain capital projects through the issuance of General Obligation Debt, and such appropriations are more fully set forth in such **ATTACHMENT 1**;

VII. WHEREAS FURTHER, with respect to the appropriations set forth in **ATTACHMENT 1** hereto, the State previously has issued General Obligation Debt as indicated and there remains the General Obligation Debt available, as more fully set forth in **ATTACHMENT 1** hereto;

VIII. WHEREAS FURTHER, the Board finds an immediate need for certain project funding for the purposes of financing some or all of the projects and facilities associated with the appropriations set forth in **ATTACHMENT 1** hereto (the “Projects”) in the aggregate principal amount of \$25,650,000;

IX. WHEREAS FURTHER, the Board therefore desires to request the issuance of \$25,650,000 in aggregate principal amount of State of Georgia General Obligation Bonds, the instruments of which shall have maturities not in excess of the respective appropriations set forth in **ATTACHMENT 1** hereto (the “General Obligation Bonds”), for the purpose of financing some or all of the Projects;

X. WHEREAS FURTHER, the Board is aware that the “Tax-Exempt Projects” (as defined below) shall be completed with proceeds derived from the sale of the General Obligation Bonds with the intent that interest on such General Obligation Bonds be excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) (such General Obligation Bonds being referred to as the “Tax-Exempt Bonds”);

XI. WHEREAS FURTHER, the Board is aware of the provisions and requirements of the Code and the regulations issued thereunder respecting arbitrage bonds and private activity bonds, and is aware that the Projects must proceed with due diligence and be timely completed following receipt of the proceeds derived from the sale of the General Obligation Bonds (the “Bond Proceeds”);

XII. WHEREAS FURTHER, as used in this resolution (the “Resolution”):

A. “Private Use Projects” shall mean the projects and facilities associated with those appropriations, as set forth in **ATTACHMENT 1** hereto, designated as “**FEDERALLY TAXABLE**”, that may give rise to “private business use” within the meaning of Section 141(b)(1) of the Code;

B. “Private Use Bonds” shall mean the federally taxable General Obligation Bonds applicable to the Private Use Projects;

C. “Private Business Use Proceeds” shall mean that portion of the Bond Proceeds derived from the sale of the Private Use Bonds;

D. “Tax-Exempt Projects” shall mean the Projects, excluding the Private Use Projects, financed with the proceeds of the Tax-Exempt Bonds;

E. “Tax-Exempt Proceeds” shall mean the Bond Proceeds derived from the sale of the Tax-Exempt Bonds;

XIII. WHEREAS FURTHER, the Board intends to use all or a portion of the Private Business Use Proceeds for certain purposes that may give rise to “private business use”, as defined by Section 141 of the Code and thus is requesting that the Private Use Bonds be issued as federally taxable bonds,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF NATURAL RESOURCES THAT:

SECTION 1.

The Board hereby approves and authorizes the Projects.

SECTION 2.

The Board hereby requests the Georgia State Financing and Investment Commission to undertake to issue \$25,650,000 in aggregate principal amount of State of Georgia General Obligation Bonds, the instruments of which shall have maturities not in excess of the respective appropriations set forth in **ATTACHMENT 1** hereto, for the purpose of financing some or all of the Projects.

SECTION 3.

The Board intends to use all or a portion of the Private Business Use Proceeds for certain purposes that may give rise to "private business use", as defined by Section 141 of the Code, and therefore the Board requests that the Private Use Bonds be issued as federally taxable bonds.

SECTION 4.

The Board hereby determines and agrees that:

- (a) the plans for the Tax-Exempt Projects are sufficiently complete such that substantial binding obligations to a third party or parties (as defined in the regulations issued under the Code), involving the expenditure of at least five percent (5%) of the Tax-Exempt Proceeds herein requested, to commence or acquire the Tax-Exempt Projects will be incurred within six (6) months after the issuance of such Tax-Exempt Bonds;
- (b) eighty-five percent (85%) of the Tax-Exempt Proceeds herein requested will be expended within three (3) years after the issuance of such Tax-Exempt Bonds;
- (c) the Tax-Exempt Proceeds herein requested, and anticipated investment proceeds (net of interest on such Tax-Exempt Bonds during the estimated period of construction), will not exceed the amount necessary for the governmental purposes of financing the Tax-Exempt Projects;
- (d) during the time the Tax-Exempt Bonds herein requested are outstanding, the Department will not take, permit to be taken, or fail to take, any action which would cause such Tax-Exempt Bonds to be deemed private activity bonds or arbitrage bonds under the Code;
- (e) the Department will not use the Tax-Exempt Proceeds herein

requested, or the Tax-Exempt Projects financed with such Tax-Exempt Proceeds, for any non-governmental purpose, or any purpose that would give rise to private business use within the meaning of the Code, except for those specific instances in which the Department has previously consulted with the Commission;

(f) the term of the Tax-Exempt Bonds related to the Tax-Exempt Projects will not be longer than 120% of the reasonably expected economic life of the Tax-Exempt Projects financed thereunder;

(g) no Tax-Exempt Proceeds herein requested will be used for reimbursement of any Tax-Exempt Project expenditures which were made before the anticipated delivery date of such Tax-Exempt Bonds, except in situations where, prior to any such expenditure, the Department has obtained a declaration of “Official Intent” (as defined by the Code) from the Commission, or the Department has been otherwise advised in writing by the Commission that such reimbursement will be permitted, it being the intention of the Department to comply in all respects with Section 1.150-2 of the regulations under the Code;

(h) all of the expenditures of the Tax-Exempt Proceeds for the Tax-Exempt Projects will constitute capital expenditures (as defined in Section 1.150-1(b) of the regulations under the Code);

(i) with respect to the Tax-Exempt Projects, all of the Tax-Exempt Proceeds will be allocated to Tax-Exempt Project expenditures no later than the earlier of: (i) eighteen (18) months after the date such Tax-Exempt Project is placed in service, or (ii) five (5) years after the issuance of such Tax-Exempt Bonds; any unallocated Tax-Exempt Proceeds remaining after the earlier of such dates shall be transferred to the Commission and used to redeem outstanding tax-exempt General Obligation Debt of the applicable issue.

SECTION 5.

The Board hereby determines and agrees that with respect to any Department project previously financed with proceeds of General Obligation Debt issued by the State with the intent that:

(a) the interest on such bonds be excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code; or

(b) such bonds at the time of their issuance were designated by the State as Build America Bonds under Section 54AA of the Code;

and where any such bonds remain outstanding (including any refunding bonds), the Board certifies that such project(s) are not now being used for any private business use within the

meaning of pertinent provisions of the Code, except for those specific instances in which the Department has identified to the Commission such use of the project(s) and (i) provision was made so as to retire, redeem or defease any and all then-remaining outstanding bonds for the project(s) concurrent with such use, or (ii) the Commission has determined that the aforementioned retirement, redemption or defeasance is not required to maintain the tax-exempt or Build America Bond status of such bonds.

SECTION 6.

The Commissioner of the Department, the Chairperson of the Board, the Secretary of the Board, and their valid delegates each are hereby authorized and directed to execute any instruments and take whatever action which may be necessary in connection with the issuance of the General Obligation Bonds by the Commission, including, but not limited to, the preparation and execution of answers in connection with any legal proceeding as to the validity of any action by the Board with respect to the issuance of the General Obligation Bonds by the Commission. The Attorney General or any Assistant Attorney General of the State are authorized to execute Acknowledgment of Service and Waiver of Process in such legal proceedings.

SECTION 7.

All attachments, exhibits and schedules attached hereto or referenced in this resolution (the “Resolution”) are hereby incorporated herein and made a part hereof.

[Remainder of page intentionally left blank]

This Resolution is hereby adopted this _____ day of _____, 2026.

**CHAIRPERSON
BOARD OF NATURAL RESOURCES**

ATTEST:

**SECRETARY
BOARD OF NATURAL RESOURCES**

ATTACHMENT 1

DEPARTMENT OF NATURAL RESOURCES APPROPRIATIONS

Pursuant to Paragraphs I through III of Section IV of Article VII of the Georgia Constitution, the General Assembly has passed various appropriations acts set forth in this Attachment 1, so as to make certain appropriations to the State of Georgia General Obligation Debt Sinking Fund for the purpose of financing certain capital projects through the issuance of General Obligation Debt.

H.B. 19, State Fiscal Year 2023-2024:

The General Appropriations Act for State Fiscal Year 2023-2024 (commencing at p. 1 of 264, Act No. 351, 2023 Regular Session, H.B. 19) signed by the Governor on May 5, 2023, as amended by the Supplementary Appropriations Act for State Fiscal Year 2023-2024 (commencing at p. 1 of 210, Act No. 366, 2024 Regular Session, H.B. 19) signed by the Governor on February 29, 2024.

H.B. 974, State Fiscal Year 2026-2027:

The General Appropriations Act for State Fiscal Year 2026-2027 (commencing at p. 1 of 156, 2026 Regular Session, H.B. 974).

[Remainder of page intentionally left blank]

H.B.	Bond	Appropriation	General Obligation Debt Authorized	General Obligation Debt Previously Issued	General Obligation Debt Available	General Obligation Debt Requested
19	376.614	[FEDERALLY TAXABLE] From State General Funds, \$589,200 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$6,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.	\$6,000,000	\$2,200,000	\$3,800,000	\$3,800,000
974	98	From State General Funds, \$1,181,648 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,940,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.	4,940,000	0	4,940,000	4,940,000
974	99	From State General Funds, \$1,565,866 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$16,910,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.	16,910,000	0	16,910,000	16,910,000
Total			\$27,850,000	\$2,200,000	\$25,650,000	\$25,650,000



COASTAL COMMITTEE MEETING

MAY 18, 2026 | ATLANTA, GA



SAFMC

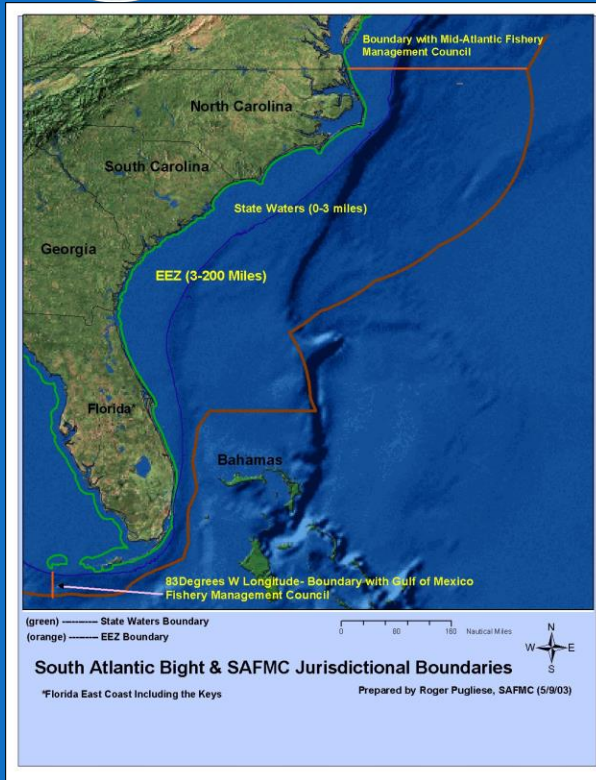


ASMFC



South Atlantic Fishery Management Council

SAFMC



- 1 of 8 regional Councils
- 1976 - Magnuson-Stevens Fishery Management Act
- Exclusive Economic Zone (EEZ)
 - 3 to 200 nautical miles
 - Federal Management
- South Atlantic Region – NC, SC, GA, and East Florida (to Florida Keys)
- “Conserve and Manage” through fishery management plans



Council Members



- Rec & com fishermen, state marine resources rep., NOAA Fisheries
- 13 voting members
 - One Vote Each
- Federal partners – U.S. Coast Guard, U.S. Fish & Wildlife Service, Atlantic States Marine Fisheries Commission



Fishery Management Plans

- Coastal Migratory Pelagics
 - King & Spanish Mackerels
- Coral & Live Bottom Habitat
- Dolphin Wahoo
- Golden Crab
- *Sargassum*
- Shrimp
- Snapper Grouper
 - 55 Species (including Red Snapper)
- Spiny Lobster
- Ecosystem





Plan Components

- Biological - data collection and stock assessments
- Policy mandates - NEPA, MMPA, Endangered Species Act, etc.
- Economic impacts
- Social impacts





APs / Tech / Public Input

- **Advisory Panels** - Rec, charter and com fishermen, environmental org., scientists, processors and others
- **Scientific & Statistical Committee** - Sets Catch Limits based on science as required by the MSA
- **Technical Assessment Panels** - Federal & State scientists
- **Public Comment** - Scoping Meetings, Public Hearings, Written Comments



Federal Fisheries Management

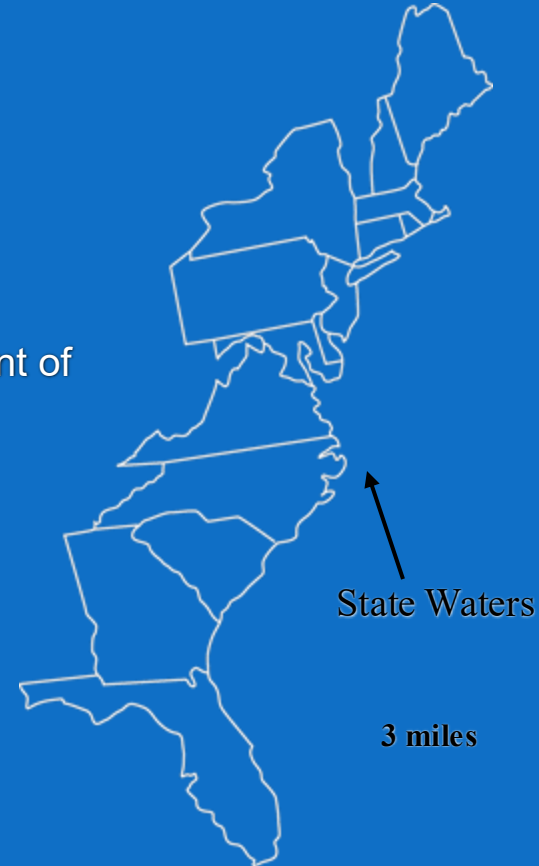
- Identification of management **issue**
- Public **Scoping** (when applicable)
- Public Hearing Document with options to be considered
- **Public Hearings** and written comment
- FMP or Amendment **approved by Council**
- FMP/Amendment **reviewed by NOAA Fisheries (NMFS)**
- Submitted to **Secretary of Commerce** – final approval
- **Regulations implemented** by NOAA Fisheries
 - Applies to the EEZ
 - Federal
- States create similar regulations to facilitate enforcement
 - Not under an obligation



Atlantic States Marine Fisheries Commission

ASMFC

- Formed in 1942 – Interstate Compact
 - O.C.G.A. 27-4-210 – 216 (1943)
- 15 states – ME – FL, including PA
- Coastal inland to 3 miles: state waters
- Primary objective – cooperative management of interstate fisheries
- Member states dedicated to the principle of working together to:
 - Maintain abundant stocks
 - Restore overfished stocks
 - Assess status of unknown stocks





One State – One Vote Principle

Georgia Representatives



Dir. Doug Haymans
Administrative Commissioner



Rep. Trey Rhodes
Legislative Commissioner



Spud Woodward
Governor's Appointee



Decision-Making Process

Identified Problem

Stock status



Scientific review/input

Technical Committee



Proposed Action

Potential management measures



Public and Advisory Input

Public comment process

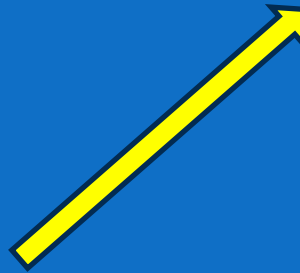


Commission Decides

Final management measures

States Act

*Regulations implemented
and enforced*





Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA)

- Cornerstone of the Commission's management program since 1994
- Establishes affirmative obligation to comply with FMP requirements
- Failure to comply may involve Secretarial moratorium on harvest in state waters



Management Plans

27 Species/Species Groups Under Management



American Eel



Atlantic Sturgeon



Cobia



Spanish Mackerel



American Shad



Black Drum



Horseshoe Crab



Spot



Atlantic Menhaden



Bluefish



Red Drum



Spotted Seatrout



Atlantic Croaker



Coastal Sharks



River Herring



Weakfish



Briefing on Proposed Rule Change for 391-2-4-.04, Red Drum

Jared Flowers

May 18, 2026

Mission Statement:

To balance coastal development and protection of the coast's natural assets, socio-cultural heritage and recreational resources for the benefit of present and future generations.

Regional ASMFC Stock Assessment

ASMFC Red Drum Benchmark 2024 Stock Assessment:

- States from Florida to New Jersey participated in the assessment and contributed data
- Red Drum stock split into two segments:
 - **Northern Stock:** North Carolina and states north
 - **Southern Stock:** South Carolina, Georgia, and the east coast of Florida
- Conducted with best available data and methods
 - Data terminal year was 2022
- Used a different methodology than prior assessments
 - Described population numbers through a different process than previously

Stock Assessment Results

The stock assessment determined:

- **Southern Stock** is overfished and overfishing is occurring
 - Assessment passed peer review
 - Accepted by ASMFC Sciaenids Board for management
- **Overfishing:** fish harvested faster than they can reproduce
- **Overfished:** fish stock is depleted to a level where its ability to replenish itself has been compromised

Management Response

Red Drum are managed at certain levels of **Spawning Potential Ratio**

- **Spawning Potential Ratio (SPR):** reproductive capacity of a fish stock under fishing pressure compared to its unfished potential
- Overfished threshold of 30% SPR and a target of 40% SPR
 - Threshold: the SPR value under which a population is considered overfished
 - Target: the SPR value at which management goals are designed to achieve
- Existing Red Drum Fishery Management Plan (FMP) required states to manage at a target of 40% SPR
 - Amendment 2 enacted in 2002
 - Basis for current Georgia regulations

Management Response

- ASMFC Sciaenids Board revised Amendment 2 to the Red Drum FMP
 - Account for new assessment projections
 - Allow flexibility for regulation changes
 - Not unfairly punish states that have already taken management measures
 - Management at or above 30% SPR overfishing threshold
- As part of the Southern Stock, Georgia must make changes to reduce fishing levels

Management Response - Harvest Reduction

- Must reduce harvest, i.e. **fishing mortality (F)** to end overfishing and start population recovery to achieve SPR management goals
- Stock assessment projections determined reduction in **F** needed at various SPR levels
 - F30% is fishing mortality at 30% SPR → threshold
 - F40% is fishing mortality at 40% SPR → target
- CRD recommends management for F35% or higher:
 - More precautionary
 - Larger buffer for increasing fishing effort
 - Greater potential for regional population recovery

Management Target	Reduction in F Needed
F30%	-14.4%
F35%	-21.4%
F40%	-28.1%

Red Drum Management History

- **1980** – Red Drum management passes from NOAA to ASMFC
- **1984** – ASMFC develops first Fishery Management Plan
- **1986** – First Red Drum regulations in GA (14” min size, only 2 fish over 32”)
- **2002** – Year-round season; 14-23 inch slot; 5 fish daily creel and 5 fish possession limit
- **2013** – State Gamefish status established
- **2024** – ASMFC Benchmark Stock Assessment

- Coastwide stock assessments (**1989, 1991, 1992, 1995, 1999**) led to changes in state regulations (**1989, 1991, 1992, 1993, 2002**)

- Stock assessments in **2009** and **2017** did not require changes to management

Other Southern Stock State Regulations

South Carolina

- Managed statewide
- Current regulations
 - Slot Limit: 15-23” total length
 - Daily Bag Limit: 2 fish per person per day; 6 fish per vessel
- Changes proposed:
 - Slot Limit: 18-25” total length
 - Daily Bag Limit: 1 or 2 fish per day; 2 fish per vessel

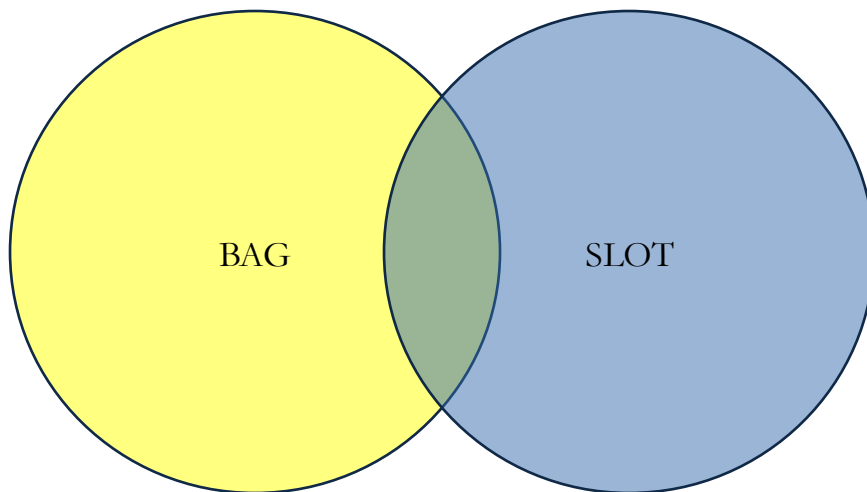
Florida

- Managed in different state regions
- Current regulations changed just prior to assessment
- NE FL
 - Slot Limit: 18 - 27” total length
 - Daily Bag Limit: 1 fish per person per day; 4 fish per vessel; no captain/crew bag
- Indian River Lagoon
 - Catch and Release only

Georgia Options

Potential Regulation Options

- Bag/Slot Combinations
 - Numerous options
 - Smaller changes to bag and slot limit than only changing either
 - Can tailor changes to better serve the interests of Georgia's Red Drum fishery



Proposed Georgia Options

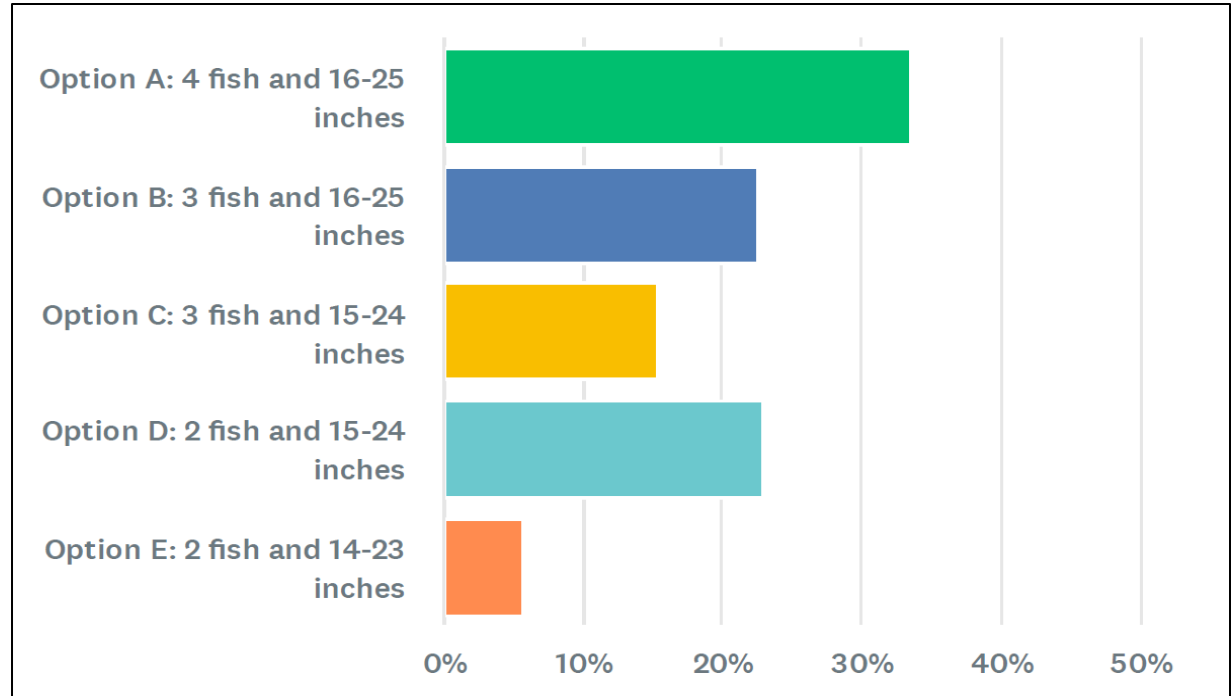
- Each of these options was approved by CRD’s Finfish Advisory Panel and subsequently the ASMFC Red Drum TC at the April 2026 meeting
- September 1, 2026 is the ASMFC implementation date for new Georgia and South Carolina regulations

Bag	Slot	Reduction %
4	16” to 25” TL	Achieves F40%
3		Achieves F40%
3	15” to 24” TL	Achieves F35%
2		Achieves F40%
2	14” to 23” TL	Achieves F35%

Public Survey Results – Creel and Slot Limits

CRD public survey results concluded in early March 2026

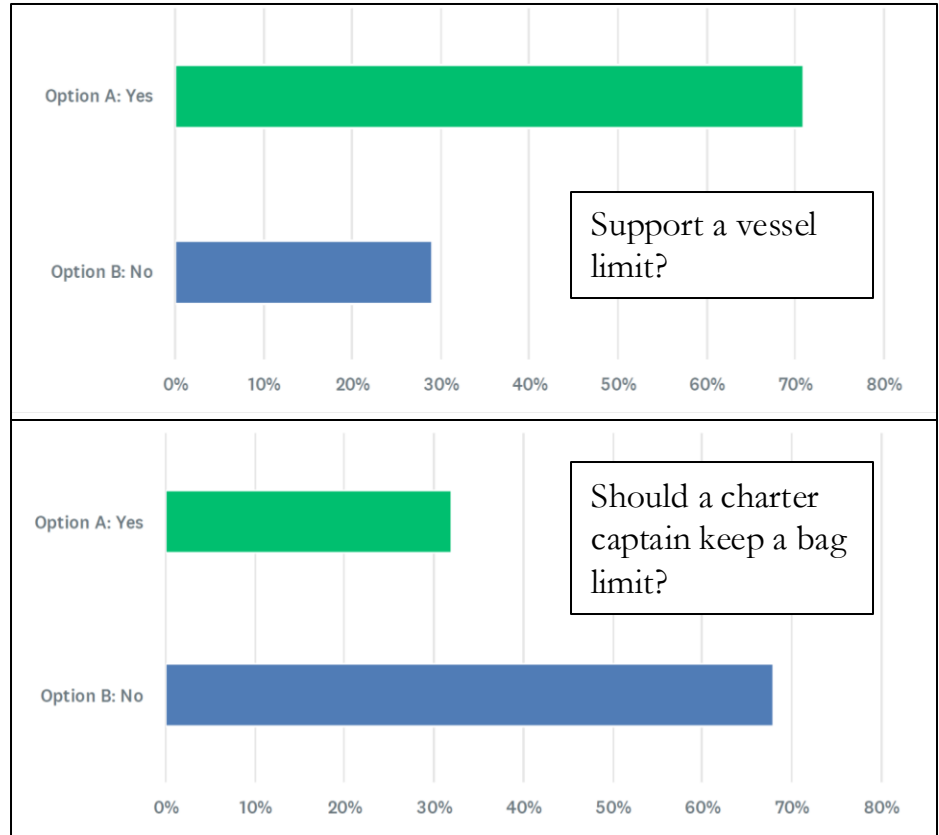
- 754 total respondents
 - 660 Recreational anglers
 - 66 Charter captain
 - 28 Other



Public Survey Results – Vessel & Crew Limits

Additional management options that can compliment bag and size changes

- **Vessel Limit** - Possession limit on total number of fish on an individual vessel in addition to individual angler bag limits
- **Charter Captain and Crew Limit** - A charter captain and crew may not retain a bag limit of fish on a charter trip



Proposed Amendments 391-2-4-.04

Saltwater Finfishing

(3) Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits - proposed to be amended such that . . .

(m) the daily creel and possession limit is changed to “**3** per person”, the minimum size (inches) to “**15**” TL”, and maximum size to “**24**” TL”

Public Participation Plan

September 24, 2025	ASMFC Georgia Public Hearing on Red Drum Draft Addendum II
October 30, 2025	ASMFC's Sciaenids Board approved Addendum II of the ASMFC Red Drum Fishery Management Plan Amendment 2
December 3, 2025	Finfish Advisory Panel presentation
February 6, 2026	Finfish Advisory Panel feedback received
February 25 & 26, 2026 and	Public Town Hall meetings conducted in Brunswick (included virtual option) Richmond Hill, respectively
May 18 & 19, 2026	CRD presents proposed amended Rule 391-2-4-.04 to the Board of Natural Resources, Coastal Committee
May 20, 2026	Public comment period
June 30, 2026	Public comment period closes
August 25, 2026	Consideration of public comment and final action on proposed amended rule.
January 1, 2027	Implementation/Effective date

Questions?



Regulations

- Bag only

Proposed Bag	Proposed Vessel	Percent Reduction
4	No Vessel	-6.2%
4	12	-6.2%
4	8	-7.1%
3	No Vessel	-12.5%
3	9	-12.5%
3	6	-14.3%
2	No Vessel	-21.7%
2	9	-21.7%
2	6	-21.7%
2	4	-23.9%

- Slot only

Slot Only	
15-23	-12.7%
15-24	-11.4%
15-25	-11.2%
15-26	-10.5%
15-27	-10.1%
16-23	-29.5%
16-24	-27.7%
16-25	-27.4%
16-26	-26.5%
16-27	-25.9%
18-27	-55.3%

*Cannot retain Red Drum >27" TL - ASMFC

- New reduction estimates not comparable to 2022 estimates

Regulations – 4 Fish Bag

Potential Options

- Slot and bag

- F30% = -14.4%
- F35% = -21.4%
- F40% = -28.1%

4 / No Vessel Lower

	14	15	16	17	18
Upper					
23	-10.7%	-18.1%	-33.9%	-49.2%	-62.7%
24	-8.8%	-16.9%	-32.2%	-47.1%	-60.4%
25	-8.5%	-16.7%	-31.9%	-46.7%	-59.9%
26	-7.6%	-16.1%	-31.1%	-45.8%	-58.8%
27	-6.9%	-15.7%	-30.5%	-45.1%	-58.1%

4 / 12 Vessel Lower

	14	15	16	17	18
Upper					
23	-10.8%	-18.2%	-33.9%	-49.2%	-62.7%
24	-8.9%	-16.9%	-32.2%	-47.1%	-60.4%
25	-8.5%	-16.7%	-31.9%	-46.8%	-60.0%
26	-7.6%	-16.1%	-31.1%	-45.8%	-58.8%
27	-7.0%	-15.7%	-30.6%	-45.1%	-58.1%

4 / 8 Vessel Lower

	14	15	16	17	18
Upper					
23	-11.4%	-18.7%	-34.4%	-49.6%	-63.0%
24	-9.5%	-17.5%	-32.7%	-47.5%	-60.7%
25	-9.2%	-17.3%	-32.4%	-47.1%	-60.2%
26	-8.3%	-16.7%	-31.6%	-46.2%	-59.1%

Regulations – 3 Fish Bag

Potential Options

- Slot and bag
 - F_{30%} = -14.4%
 - F_{35%} = -21.4%
 - F_{40%} = -28.1%

3/ No Vessel Lower

		14	15	16	17	18
Upper	23	-16.7%	-23.6%	-38.3%	-52.6%	-65.2%
	24	-14.9%	-22.5%	-36.7%	-50.6%	-63.0%
	25	-14.6%	-22.3%	-36.5%	-50.3%	-62.6%
	26	-13.8%	-21.7%	-35.7%	-49.4%	-61.6%
	27	-13.2%	-21.4%	-35.2%	-48.8%	-60.9%

3/9 Vessel Lower

		14	15	16	17	18
Upper	23	-16.7%	-23.6%	-38.3%	-52.6%	-65.2%
	24	-15.0%	-22.5%	-36.7%	-50.7%	-63.0%
	25	-14.6%	-22.3%	-36.5%	-50.3%	-62.6%
	26	-13.8%	-21.7%	-35.7%	-49.4%	-61.6%
	27	-13.2%	-21.4%	-35.2%	-48.8%	-60.9%

3/6 Vessel Lower

		14	15	16	17	18
Upper	23	-18.4%	-25.2%	-39.6%	-53.5%	-65.9%
	24	-16.7%	-24.0%	-38.0%	-51.6%	-63.8%
	25	-16.3%	-23.8%	-37.7%	-51.3%	-63.4%
	26	-15.5%	-23.3%	-37.0%	-50.4%	-62.4%
	27	-14.9%	-22.9%	-36.5%	-49.8%	-61.7%

Regulations – 2 Fish Bag

Potential Options

- Slot and bag
- F30% = -14.4%
- F35% = -21.4%
- F40% = -28.1%

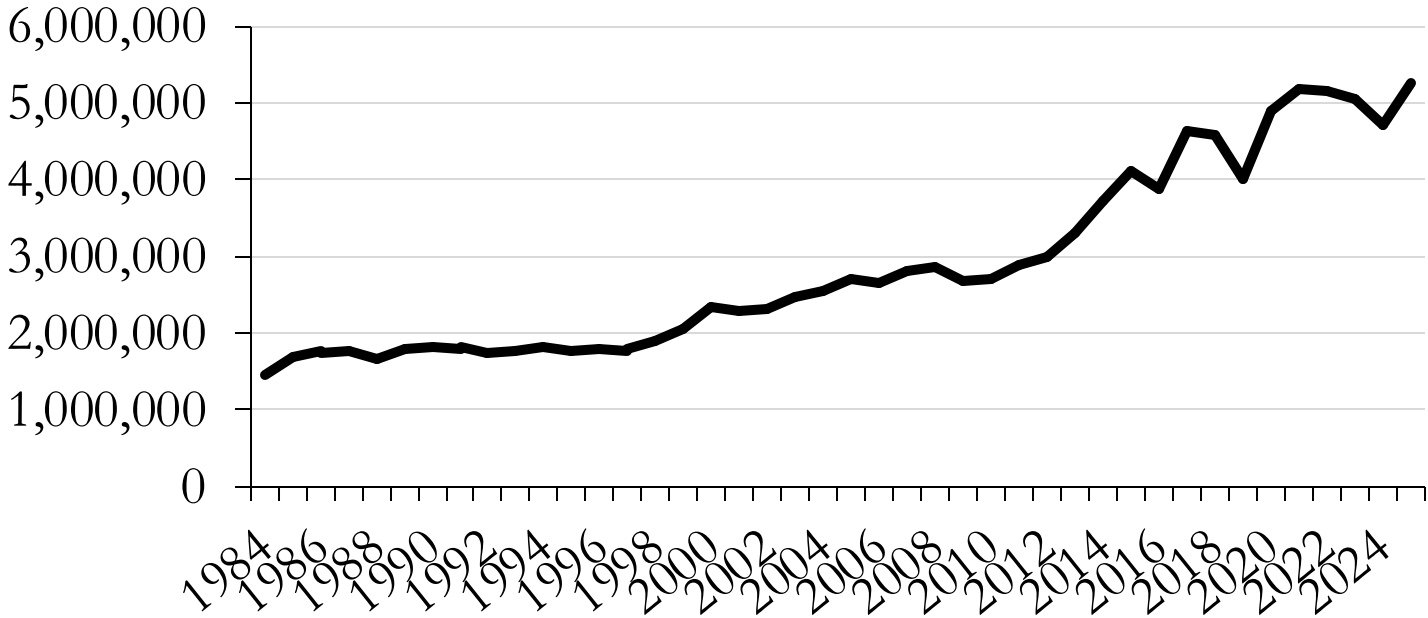
2/ No Vessel		Lower				
		14	15	16	17	18
Upper	23	-25.4%	-31.6%	-44.8%	-57.6%	-68.9%
	24	-23.9%	-30.6%	-43.4%	-55.8%	-66.9%
	25	-23.6%	-30.4%	-43.1%	-55.5%	-66.5%
	26	-22.8%	-29.9%	-42.4%	-54.7%	-65.6%
	27	-22.3%	-29.6%	-42.0%	-54.1%	-65.0%

2/ 6 Vessel		Lower				
		14	15	16	17	18
Upper	23	-25.5%	-31.6%	-44.8%	-57.6%	-68.9%
	24	-23.9%	-30.6%	-43.4%	-55.8%	-66.9%
	25	-23.6%	-30.4%	-43.1%	-55.5%	-66.6%
	26	-22.8%	-29.9%	-42.5%	-54.7%	-65.6%
	27	-22.3%	-29.6%	-42.0%	-54.2%	-65.0%

2/ 4 Vessel		Lower				
		14	15	16	17	18
Upper	23	-27.5%	-33.5%	-46.4%	-58.7%	-69.7%
	24	-26.0%	-32.5%	-45.0%	-57.1%	-67.8%
	25	-25.7%	-32.4%	-44.7%	-56.8%	-67.5%
	26	-25.0%	-31.9%	-44.1%	-56.0%	-66.6%
	27	-24.5%	-31.6%	-43.6%	-55.4%	-66.0%

MRIP Effort

Georgia Angler Trips 1984-2025







Update: Rules for Private Docks in Tidal Waters

Jill Andrews

Chief, Coastal Management Section

May 18, 2026





What are Private Docks?

Exempt from the Coastal Marshlands Protection Act: OCGA 12-5-295(7-7.1)

Single Family Dock:

- Private dock for noncommercial use by:
- Owner of a lot with detached single-family residence, or
- Owner of a lot with 50ft. marsh frontage upon which a single-family residence can be built.

Multi-Family Dock:

- Private dock for use by owners of up to four adjoining marsh front lots.
- Size to be determined by the department.
- Binding covenant to prohibit future single docks.



Regulation of Private Docks: Authorities

Protection of Tidewaters Act: O.C.G.A. 52-1-2

- State owner of beds of all tidewaters as successor to Crown of England and common law.
- State is trustee of the rights of people to use tidewaters.

Supervision of State Lands O.C.G.A 50-16-61

- Governor has general supervision over all state property.
- Power to make all necessary regulations.



Regulation of Private Docks: History

1984:

- Gov. Harris delegates authority over all state-owned tidal water bottoms to DNR; includes authority to grant Revocable Licenses (RL).
- DNR Real Estate office issued RL; separate county building and Army Corps permits.

1994:

- DNR delegates authority to CRD for granting, denying, modifying or revoking RL.



Revocable Licenses for Private Docks

- Issued by CRD to owners of the upland lot(s) from which the dock originates.
- Grants private use of state-owned tidal water bottoms that is not coupled with interest.
- Is valid for the specific size and location of a dock to be constructed.
- Is not transferrable but can be reissued to new property owners.
- Is revocable.





Regulation of Private Docks: History

1995 - 2022:

Programmatic General Permit:

- Army Corps of Engineers delegated their permit to CRD.
- Established criteria and standards.
- Re-evaluated every 5 years; agency review, public comment.



History of PGP0083

Date	Walkway	Fixed Dock (SqFt)	Float Dock (SqFt)	Channel Extension	Boat Hoist
RP's 1979 to 1996	Maximum 6' wide. No length or square foot restriction	576	288	25', or 15% channel width MLW to MLW, whichever is less	N/A
PGP 83 1996 to 2001	Maximum 6' wide. No length of square foot restriction	576	288	40', or 25% channel width MLW to MLW, whichever is less	12' x 25'
PGP 83 2001 to 2007	Maximum 6' wide. No length of square foot restriction	864	576	40', or 25% channel width MLW to MLW, whichever is less	16' x 30'
PGP 83 2007 to 2012	Maximum 6' wide. Maximum 3,000 square feet with wood decking. Greater than 3,000 square feet with grate decking or monorail.	400	576	40', or 25% channel width MLW to MLW, whichever is less	16' x 30'
PGP 83 2012 to 2016	Maximum 6' wide. Maximum 1,000' length. Maximum 3,000 square feet with wood decking. Greater than 3,000 square feet with grate decking or monorail.	300	576	40' or 25% channel width MLW to MLW, whichever is less	16' x 30'
PGP 83 2017 to 2022	Maximum 6' wide. Maximum 1,000' length. Maximum 3,000 square feet.	300	600	40' or 25% channel width MLW to MLW, whichever is less	16' x 30'



Regulation of Private Docks: History

2016 Rulemaking Attempt

- Based on current PGP at the time.
- Stalled due to significant public and legislative concern about requirements for marine contractors licensing.

2022 – Present:

- PGP expired August '22; Corps did not renew.
- CRD adopted a Standard Operating Procedure to continue PGP criteria and standards.
- CRD issues RLs for docks meeting SOP; Army Corps issues an individual permit.
- CRD initiated rulemaking to codify SOP, Jan '24.



Private Dock Rulemaking: Rationale

Private Dock Licenses Issued: 2015-2025

2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
90	188	153	153	198	157	266	211	148	144	152

Challenges:

Enforcement capacity

- Unlicensed construction.
- Improper construction.
- Upstream and downstream impacts on navigation or access by other property owners.

State vs. Federal standards

- Different state and federal standards.
- Homeowner confusion.
- Asynchronous timing of state and federal permits; exploitation.

Legal Challenges

- Defensibility of RL process
- Defensibility of a SOP.

Legal Challenges & Attorney General Opinions

Attorney General Opinion (1993)

- Straight-line extension of property boundary lines is acceptable method to allocate waterways; rigid adherence could cause inequitable results.

Dorroh v. McCarthy (Supreme Ct, 1995)

- Challenged DNRs allocation of waterways for private docks and validity of RL.
- Court held DNR exercised reasonable discretion in adopting a policy to apportion waterways.
- Revocable license declared valid.

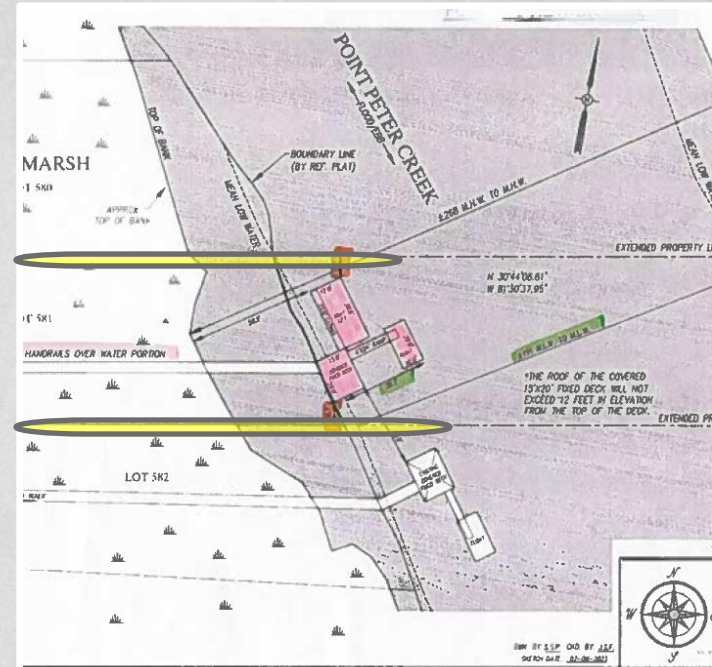


Image highlighting extended property lines (yellow)

Private Dock Rulemaking: Rationale

- **Started with SOP standards**
- **Consistency with CMPA Rules**
- **Compare with SE states**
- **Re-reviewed known research**
- **Public Input**
 - Proposed Rules to Board
 - Public Hearing input
 - Stakeholder Committee input
 - Town Hall Meeting input
 - Board of Natural Resources input





Private Dock Rulemaking: 2022 Standard Operating Procedure

- Siting criteria:
 - Within extended property lines or dock corridors;
 - stop at 1st creek 20ft or greater;
 - span creeks less than 20ft or limited to pierhead
- Size criteria for New Docks
 - Fixed Walkways
 - Fixed Deck
 - Hoists
 - Floating Docks (single & multi-family)
- Maintenance of Existing Docks
- Modifications of Serviceable Existing Docks

Date	Walkway	Fixed Dock (SqFt)	Float Dock (SqFt)	Channel Extension	Boat Hoist
PGP 83 2017 to 2022	Maximum 6' wide. Maximum 1,000' length. Maximum 3,000 square feet.	300	600	40' or 25% channel width MLW to MLW, whichever is less	16' x 30'



Private Dock Rulemaking:

Community & Commercial Docks, Marinas

Dock Type	Walkway Max Size	Walkway Max Length	Walkway Max Width	Fixed Deck Max Size
Tier 1 Community	-	500 ft.	4 ft.	180 sq.ft.
Tier 2 Community	3,000 sq.ft.	750 ft.	6 ft.	400 sq.ft.
Tier 3 Community & Commercial	3,000 sq.ft.	1,000 ft.	6 ft.	400 sq.ft.
Marinas	3,000 sq.ft.	1,000 ft.	6 ft.	-



State Comparisons of Private Dock Regulations

<i>State</i>	<i>Lot Size Min</i>	<i>Walkway Max</i>	<i>Fixed Deck Max</i>	<i>Floating Dock</i>	<i>Channelward Extension</i>	<i>Boat Hoist(s)</i>	<i>Total Area</i>
GA	50ft. riparian frontage	<u>length</u> : 1,000ft <u>width</u> : 6ft. <u>area</u> : 3,000 ft ²	300 ft ² may be partially 1/3 walled, covered.	600 ft ² . single 1,000sq.ft. multi-family jet docks don't count toward total under certain conditions	40' from mlw or 25% of waterway, whichever is less	yes: 1-16x30ft, 3x30 catwalk; 2 w/ proof of registration/bill of sale larger sizes considered upon proof of larger boat	total, including terminal end: 4,470 ft ² (includes 1 hoist & catwalk)
Other: roof 12ft high, w/eaves 18in. past edge of fixed deck. 10ft min off extended property lines							
SC	75ft. for single family; 50ft for shared dock	<u>length</u> : 1,000ft inc. all structures (deck & floating docks, etc.) <u>width</u> : 4ft max <u>area</u> : limited by total walkway length restriction	Yes, covered, no enclosed, no 2 nd story	Based on creek width: <u>>20ft</u> : no docks <u>20-50ft</u> : fixed decks and floats=120sq.ft. <u>51-150ft</u> = 160sq.ft <u>>150ft</u> = 600sq.ft. Jet docks count toward total allowable area		Yes; smallest hoist for purpose. 1 hoist per single family dock.	Total max area is limited to total dock walkway length restriction + creek size ft ² restrictions. Does not include hoist.



Private Dock Research

- Science & Management of Docks, multi-state scope (NOAA, 2004):
- **Analysis of dock impacts on saltmarsh (2004)**
- Cumulative impacts of dock shading in SC (2004)
- Visual impact assessment (2005)
- **Floating dock impacts on benthos (2006)**
- **Ecological significance of dock shading (2006)**
- **Accumulation of wrack by docks (2008)**
- **Effects of alternative materials on shading (2012)**
- Research on affects of dock structures on marsh-obligate bird species (various; Dr. Robert Cooper)



ENVIRONMENTAL AND AESTHETIC IMPACTS OF SMALL DOCKS AND PIERS

Workshop Report: Developing a Science-Based Decision Support Tool for Small Dock Management, Phase 1: Status of the Science



Private Dock Research

Research Findings of Significance:

Walkway Shading:

- Walkways shade saltmarsh vegetation.
- Stem density of saltmarsh plants is reduced by greater than 50%.
- Biomass and carbon loss is 21-37% under a walkway.
- Models show a quantifiable reduction in migrant nekton (juvenile penaeid shrimp and finfish).

Bird Habitat Fragmentation*:

- Docks >1,000ft length affects habitat usage by marsh obligate species, including state species of highest conservation concern.

*Reviewed upon stakeholder committee recommendation





Private Dock Stakeholder Committee

- Assembled July 2024 – January 2025.
- Committee members self-nominated to serve:
 - local government
 - contractors
 - engineers
 - dock builders
 - real estate specialists
 - environmental organizations
- Facilitated by UGA Carl Vinson Institute of Government.
- Supported by CRD staff, Army Corps, and scientists from the Skidaway Institute of Oceanography.



Private Dock Stakeholder Committee: Consensus

- Require licensed general contractor to build docks.*
- Require compliance with best practices for the protection of manatees and other protected species.
- Kayaks, paddleboards, canoes, and other similar non-motorized watercraft are not eligible for boat hoists.
- Recommend CRD create Dock Builders Certification Program.
- Include sample drawings in application packet.
- Develop a transfer of revocable license on sale of property.

*Consensus later reversed



Private Dock Stakeholder Committee: Minority Report

- Following sunset, committee reconvened to reconsider consensus items and to develop a “Minority Report.”
- A minority report recorded discussions centered around size of various dock components for which there was no consensus or majority vote:
 - Maximum walkway length and width – how long is too long and how wide is too wide
 - fixed deck size
 - gangway size
 - floating dock size.



Summary of Public Comments

2024 Public Comment Period

1 public hearing; 7 written comments total, generally supportive.

Recommendations included:

- Change (enlarge) some of the size standards
- Create variances for unique circumstances
- Require additional professional surveys
- Add conditions for species and special resource protection

Private Dock Town Hall (August 2025)

- Require electrical permits for docks for safety
- General contractors requirements overburdensome and unnecessary
- Put in protections for marine species, cultural resources
- Allow longer, bigger fixed walkways, length and width
- Do not increase walkway length - will result in bird habitat fragmentation
- Address construction methods, storm resilience, marine debris



Recommendations

Recommends based on 2024 Proposal:

- Add definitions
- Additional protected species conditions
- No requirements for general contractors' licenses
- Require proof of electrical permits
- Clarify dock lighting standards

Changes to size standards

- Variances for flexibility
- Fixed Deck: 300→400 ft²
- Fixed Walkway under consideration





Recommendations

Variations:

- Additional or larger boat hoists with associated catwalk; kayaks, canoes, paddleboards not eligible.
- Further extension of a dock into the waterway, not to exceed 1/3 of the waterway width.





Next Steps

Walkways to provide access from the upland to the waterway.

Current standard

- up to 1,000 ft long; 6ft. wide max. and 3,000 ft² max total area.
- Mirrors CMPA rules for community docks/marinas.

Variations under consideration:

- Length extension (less than 10%) to reach 1st waterway
- Total area or max width for longer docks
- If changed, what criteria or conditions apply?





Private Dock Rules: Tentative Timeline

Now – June 2026:

- Present Stakeholder Committee reports, public meeting and Town Hall comments and recommendations to Board.
- Request feedback on size criteria and possible variances from the Board.
- Consider all input and finalize draft rules.

Summer 2026:

- Brief DNR Board on Proposed Rules.
- Public comment period.

Summer/Fall 2026:

- Request DNR Board's adoption of Rules.



Thank you

