

May 15, 2012

Mr. Daniel Yearwood, Jr., Chairman
Barrow County Board of Commissioners
233 East Broad Street
Winder, GA 30680

RE: Ozone Nonattainment Area

Dear Chairman Yearwood:

We are very pleased to formally report that U. S. Environmental Protection Agency (EPA) has determined that Barrow County is no longer designated as nonattainment for the air quality ozone standard. This is excellent news in several regards.

First, the air in Barrow County is safe to breathe and is healthy for your citizens.

Second, the industrial source environmental requirements for nonattainment areas will no longer apply to Barrow County. This is significant in that new or expanding industries in Barrow County will not be subject to the restrictive , and sometimes prohibitive, new source review standards. In other words, an industry locating in Barrow County will have no air emission environmental requirements more restrictive than anywhere else in the United States. This is a valuable tool for the recruitment of new economic development to Barrow County.

Finally, Barrow County will no longer be subject to transportation conformity for ozone one year from now. This means that Barrow County is not in danger of losing Federal transportation funding as a result of ozone air quality standard violations.

We will continue to follow the actions of the Georgia Environmental Protection Division (EPD) as they move to amend their rules to modify the existing industrial air emission standards for Barrow County and the actions of EPA as they move to implement the redesignation of Barrow County. We will inform you when these actions are complete.

We are pleased to have assisted Barrow County with your removal from the Atlanta regional ozone nonattainment area and we are gratified that EPD and EPA agreed with your request. Thank you for the opportunity to serve Barrow County. We hope to have other opportunities to work with you in the future.

If you have any questions, please do not hesitate to contact me at 404 659 4663.

Sincerely,

Allen Barnes
President & CEO

Georgia EPD Fact Sheet – U.S. EPA’s Designations for 2008 Ozone NAAQS

Impacts to Metro Atlanta Area

On April 30, 2012, U.S. EPA designated 15 counties in the metro Atlanta area as a Marginal nonattainment area for the 2008 ozone National Ambient Air Quality Standard (NAAQS or standard). The area is comprised of the following counties: Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, and Rockdale. The standard is set at 75 parts per billion (ppb) averaged over an 8-hour period. The area has a deadline of December 31, 2015 to attain the standard.

Notably, the following five counties that were part of the nonattainment area under the 1997 standard are not designated nonattainment under the 2008 standard: Barrow, Carroll, Hall, Spalding, and Walton. The entire metro Atlanta area is now meeting the 1997 standard and the Georgia Environmental Protection Division (EPD) has officially requested that U.S. EPA redesignate the area to attainment for the 1997 standard. EPD is optimistic that U.S. EPA will act upon this request soon.

For the five counties listed in this paragraph, not being designated nonattainment for the 2008 standard means that those counties will no longer be subject to transportation conformity for ozone one year after the effective date of the designation for the 2008 standard. In addition, after U.S. EPA approves the redesignation request for the 1997 standard, and after EPD completes a rulemaking revision, major stationary sources in those five counties will no longer be subject to nonattainment new source review (NSR) permitting but will instead be subject to prevention of significant deterioration (PSD) permitting for volatile organic compound (VOC) emissions and nitrogen oxides (NO_x).

A nonattainment area is defined in Clean Air Act (CAA) section 107(d)(1)(A)(i) as “any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant.” The “contributes to” clause means that U.S. EPA can designate a county nonattainment even if the air in that county is meeting the standard.

EPD maintains 10 ozone monitors in the metro Atlanta area. Of these, only four are currently exceeding the 2008 standard (Cobb, DeKalb, Fulton, and Henry). Nonetheless, U.S. EPA has designated 11 additional counties nonattainment, even though five of them (Coweta, Douglas, Gwinnett, Paulding, and Rockdale), have monitors that are meeting the 2008 standard.

As a Marginal area, for metro Atlanta, EPD is required to adopt an emissions statement rule for stationary sources (already in place), submit a baseline emissions inventory, and implement a nonattainment area new source review permit program (already in place). EPD is not required to prepare an attainment demonstration and associated contingency measures. Marginal areas have a deadline of December 31, 2015 to attain the standard.

U.S. EPA has projected that many Marginal nonattainment areas will attain the 2008 standard by the December 31, 2015 deadline based on air pollution control measures that are already in place. While it is not certain that metro Atlanta will attain the standard by this deadline, ozone levels in metro Atlanta are expected to continue improving due to many factors, including the replacement of older cars, the modernization of older power plants with state-of-the-art pollution controls, and the conversion of power plants from coal to natural gas usage.

If the metro Atlanta area does not attain the 2008 standard by December 31, 2015, it will automatically “bump up” to the next higher classification of Moderate. Moderate areas are required to implement the Marginal area requirements plus certain other requirements, including the requirement to submit a

demonstration that the area will attain by December 31, 2018, the requirement to adopt and implement certain emissions controls, such as reasonably available control technology, a basic vehicle inspection and maintenance program if the area meets the applicable population threshold, and provisions for greater emissions offsets for new or modified sources under the state's nonattainment new source review (NSR) program. Since all 15 of the metro Atlanta counties designated nonattainment for the 2008 standard were previously classified as a Moderate nonattainment area for the 1997 standard, EPD already has in place most, if not all, requirements for Moderate nonattainment areas under the 2008 standard.

Each higher classification similarly requires additional emissions controls and stricter NSR offset requirements in addition to those required for the lower classifications. Also, under the higher classifications, smaller sources are considered "major sources" for permitting and other requirements.

Even though U.S. EPA has completed the boundary designation process and the classifications rule, U.S. EPA still has not completed some very important rules and guidance that are necessary to know how the 2008 standard will be implemented. U.S. EPA has stated that they intend to propose in mid-2012, and finalize in winter 2013, an implementation rule that will cover the following elements for ozone implementation: attainment demonstration SIPs, reasonable further progress (RFP), reasonably available control technology (RACT), contingency measures, nonattainment new source review (NSR), emissions inventory, rural nonattainment areas, and anti-backsliding provisions.

In addition to the implementation rule described in the preceding paragraph, U.S. EPA is working on guidance that would describe the expectations for states for the Infrastructure SIPs that are required under CAA section 110(a), including the requirement to address interstate transport of ozone causing emissions under CAA section 110(a)(2)(D)(i). U.S. EPA has stated their intent to issue this guidance during the summer 2012. These Infrastructure SIPs were due in March 2011 (three years after the U.S. EPA Administrator signed the 2008 standard). However, U.S. EPA delayed releasing any guidance on this requirement since they were actively working on a reconsideration of the 2008 standard, which was ultimately halted by President Obama. In order to meet the legal deadline in the CAA, EPD has submitted a complete Infrastructure SIP to U.S. EPA. Nevertheless, it is possible that EPD may need to revise the submittal based on the forthcoming U.S. EPA guidance, particularly with regard to the interstate transport provisions in CAA section 110(a)(2)(D)(i).

The CAA requires U.S. EPA to review each NAAQS every five years. If the latest science indicates that the current standard is not sufficient to protect public health, the CAA requires U.S. EPA to revise the standard. U.S. EPA has stated that it is on schedule to propose its review of the current ozone standard in 2013, and to finalize this review in 2014.



FEDERAL REGISTER

Vol. 77 Monday,
No. 98 May 21, 2012

Part III

Environmental Protection Agency

40 CFR Parts 50, 51 and 81
Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards; Implementation of the 2008 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes; Final Rules

FLORIDA—2008 8-HOUR OZONE NAAQS—Continued
[Primary and secondary]

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
Taylor County Union County Volusia County Wakulla County Walton County Washington County				

¹ This date is July 20, 2012, unless otherwise noted.

² Includes any Indian country located in each county or area, unless otherwise noted.

■ 12. Section 81.311 is amended as follows:

■ a. By revising the table heading for “Georgia—Ozone (8-Hour Standard)” to read “Georgia—1997 8-Hour Ozone NAAQS (Primary and Secondary)”

■ b. By adding a new table entitled “Georgia—2008 8-Hour Ozone NAAQS (Primary and Secondary)” following the newly designated table “Georgia—1997

8-Hour Ozone NAAQS (Primary and Secondary)” to read as follows:

§ 81.311 Georgia.
* * * * *

GEORGIA—2008 8-HOUR OZONE NAAQS
[Primary and secondary]

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
Atlanta, GA: ²		Nonattainment		Marginal.
Bartow County				
Cherokee County				
Clayton County				
Cobb County				
Coweta County				
DeKalb County				
Douglas County				
Fayette County				
Forsyth County				
Fulton County				
Gwinnett County				
Henry County				
Newton County				
Paulding County				
Rockdale County				
Rest of State: ³				
Appling County		Unclassifiable/Attainment.		
Atkinson County		Unclassifiable/Attainment.		
Bacon County		Unclassifiable/Attainment.		
Baker County		Unclassifiable/Attainment.		
Baldwin County		Unclassifiable/Attainment.		
Banks County		Unclassifiable/Attainment.		
Barrow County		Unclassifiable/Attainment.		
Ben Hill County		Unclassifiable/Attainment.		
Berrien County		Unclassifiable/Attainment.		
Bibb County		Unclassifiable/Attainment.		
Bleckley County		Unclassifiable/Attainment.		
Brantley County		Unclassifiable/Attainment.		
Brooks County		Unclassifiable/Attainment.		
Bryan County		Unclassifiable/Attainment.		
Bulloch County		Unclassifiable/Attainment.		
Burke County		Unclassifiable/Attainment.		
Butts County		Unclassifiable/Attainment.		
Calhoun County		Unclassifiable/Attainment.		
Camden County		Unclassifiable/Attainment.		
Candler County		Unclassifiable/Attainment.		
Carroll County		Unclassifiable/Attainment.		
Catoosa County		Unclassifiable/Attainment.		
Charlton County		Unclassifiable/Attainment.		
Chatham County		Unclassifiable/Attainment.		
Chattahoochee County		Unclassifiable/Attainment.		
Chattooga County		Unclassifiable/Attainment.		
Clarke County		Unclassifiable/Attainment.		

GEORGIA—2008 8-HOUR OZONE NAAQS—Continued

[Primary and secondary]

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
Clay County		Unclassifiable/Attainment.		
Clinch County		Unclassifiable/Attainment.		
Coffee County		Unclassifiable/Attainment.		
Colquitt County		Unclassifiable/Attainment.		
Columbia County		Unclassifiable/Attainment.		
Cook County		Unclassifiable/Attainment.		
Crawford County		Unclassifiable/Attainment.		
Crisp County		Unclassifiable/Attainment.		
Dade County		Unclassifiable/Attainment.		
Dawson County		Unclassifiable/Attainment.		
Decatur County		Unclassifiable/Attainment.		
Dodge County		Unclassifiable/Attainment.		
Dooly County		Unclassifiable/Attainment.		
Dougherty County		Unclassifiable/Attainment.		
Early County		Unclassifiable/Attainment.		
Echols County		Unclassifiable/Attainment.		
Effingham County		Unclassifiable/Attainment.		
Elbert County		Unclassifiable/Attainment.		
Emanuel County		Unclassifiable/Attainment.		
Evans County		Unclassifiable/Attainment.		
Fannin County		Unclassifiable/Attainment.		
Floyd County		Unclassifiable/Attainment.		
Franklin County		Unclassifiable/Attainment.		
Gilmer County		Unclassifiable/Attainment.		
Glascok County		Unclassifiable/Attainment.		
Glynn County		Unclassifiable/Attainment.		
Gordon County		Unclassifiable/Attainment.		
Grady County		Unclassifiable/Attainment.		
Greene County		Unclassifiable/Attainment.		
Habersham County		Unclassifiable/Attainment.		
Hall County		Unclassifiable/Attainment.		
Hancock County		Unclassifiable/Attainment.		
Haralson County		Unclassifiable/Attainment.		
Harris County		Unclassifiable/Attainment.		
Hart County		Unclassifiable/Attainment.		
Heard County		Unclassifiable/Attainment.		
Houston County		Unclassifiable/Attainment.		
Irwin County		Unclassifiable/Attainment.		
Jackson County		Unclassifiable/Attainment.		
Jasper County		Unclassifiable/Attainment.		
Jeff Davis County		Unclassifiable/Attainment.		
Jefferson County		Unclassifiable/Attainment.		
Jenkins County		Unclassifiable/Attainment.		
Johnson County		Unclassifiable/Attainment.		
Jones County		Unclassifiable/Attainment.		
Lamar County		Unclassifiable/Attainment.		
Lanier County		Unclassifiable/Attainment.		
Laurens County		Unclassifiable/Attainment.		
Lee County		Unclassifiable/Attainment.		
Liberty County		Unclassifiable/Attainment.		
Lincoln County		Unclassifiable/Attainment.		
Long County		Unclassifiable/Attainment.		
Lowndes County		Unclassifiable/Attainment.		
Lumpkin County		Unclassifiable/Attainment.		
McDuffie County		Unclassifiable/Attainment.		
McIntosh County		Unclassifiable/Attainment.		
Macon County		Unclassifiable/Attainment.		
Madison County		Unclassifiable/Attainment.		
Marion County		Unclassifiable/Attainment.		
Meriwether County		Unclassifiable/Attainment.		
Miller County		Unclassifiable/Attainment.		
Mitchell County		Unclassifiable/Attainment.		
Monroe County		Unclassifiable/Attainment.		
Montgomery County		Unclassifiable/Attainment.		
Morgan County		Unclassifiable/Attainment.		
Murray County		Unclassifiable/Attainment.		
Muscogee County		Unclassifiable/Attainment.		
Oconee County		Unclassifiable/Attainment.		
Oglethorpe County		Unclassifiable/Attainment.		

GEORGIA—2008 8-HOUR OZONE NAAQS—Continued
 [Primary and secondary]

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
Peach County		Unclassifiable/Attainment.		
Pickens County		Unclassifiable/Attainment.		
Pierce County		Unclassifiable/Attainment.		
Pike County		Unclassifiable/Attainment.		
Polk County		Unclassifiable/Attainment.		
Pulaski County		Unclassifiable/Attainment.		
Putnam County		Unclassifiable/Attainment.		
Quitman County		Unclassifiable/Attainment.		
Rabun County		Unclassifiable/Attainment.		
Randolph County		Unclassifiable/Attainment.		
Richmond County		Unclassifiable/Attainment.		
Schley County		Unclassifiable/Attainment.		
Screven County		Unclassifiable/Attainment.		
Seminole County		Unclassifiable/Attainment.		
Spalding County		Unclassifiable/Attainment.		
Stephens County		Unclassifiable/Attainment.		
Stewart County		Unclassifiable/Attainment.		
Sumter County		Unclassifiable/Attainment.		
Talbot County		Unclassifiable/Attainment.		
Taliaferro County		Unclassifiable/Attainment.		
Tattnall County		Unclassifiable/Attainment.		
Taylor County		Unclassifiable/Attainment.		
Telfair County		Unclassifiable/Attainment.		
Terrell County		Unclassifiable/Attainment.		
Thomas County		Unclassifiable/Attainment.		
Tift County		Unclassifiable/Attainment.		
Toombs County		Unclassifiable/Attainment.		
Towns County		Unclassifiable/Attainment.		
Treutlen County		Unclassifiable/Attainment.		
Troup County		Unclassifiable/Attainment.		
Turner County		Unclassifiable/Attainment.		
Twiggs County		Unclassifiable/Attainment.		
Union County		Unclassifiable/Attainment.		
Upson County		Unclassifiable/Attainment.		
Walker County		Unclassifiable/Attainment.		
Walton County		Unclassifiable/Attainment.		
Ware County		Unclassifiable/Attainment.		
Warren County		Unclassifiable/Attainment.		
Washington County		Unclassifiable/Attainment.		
Wayne County		Unclassifiable/Attainment.		
Webster County		Unclassifiable/Attainment.		
Wheeler County		Unclassifiable/Attainment.		
White County		Unclassifiable/Attainment.		
Whitfield County		Unclassifiable/Attainment.		
Wilcox County		Unclassifiable/Attainment.		
Wilkes County		Unclassifiable/Attainment.		
Wilkinson County		Unclassifiable/Attainment.		
Worth County		Unclassifiable/Attainment.		

¹ This date is July 20, 2012, unless otherwise noted.
² Excludes Indian country located in each area, unless otherwise noted.
³ Includes any Indian country in each county or area, unless otherwise specified.

■ 13. Section 81.312 is amended as follows:
 ■ a. By revising the table heading for “Hawaii—Ozone (8-Hour Standard)” to read “Hawaii—1997 8-Hour Ozone NAAQS (Primary and Secondary)”

■ b. By adding a new table entitled “Hawaii—2008 8-Hour Ozone NAAQS (Primary and Secondary)” following the newly designated table “Hawaii—1997

8-Hour Ozone NAAQS (Primary and Secondary)” to read as follows:

§ 81.312 Hawaii.
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