

4.3 Greenhouse Gas Tailoring Rule

On May 13, 2010, the EPA finalized the Tailoring Rule (published at 75 FR 31514 on June 3, 2010) which establishes an approach to addressing greenhouse gases (GHGs) from stationary sources under the Clean Air Act (CAA) permitting programs (PSD and Title V). The Tailoring Rule addresses PSD permitting with respect to GHGs. On June 23, 2014, the U.S. Supreme Court issued a decision regarding the application of stationary source permitting to GHGs. While the implications of the court decision are currently being examined, EPA issued a memo on July 24, 2014 to all the EPA Regional Administrators clarifying that it does not intend to continue processing PSD applications that trigger PSD solely based on GHGs. Furthermore, for sources that trigger PSD based on pollutants other than GHGs (“Step 1” or “anyway sources”), EPA will continue to require GHG BACT if the source emits greater than 75,000 tpy CO₂e.⁵ The July 24, 2014 memo regarding EPA’s implementation policy on the GHG Tailoring Rule and stated the agency will not be processing PSD permit applications that trigger solely based on GHG emissions, and moreover, EPD will continue to consider 75,000 tpy CO₂e as the de minimis threshold.

4.4 New Source Performance Standards

Georgia EPD has received delegation from EPA to regulate facilities subject to NSPS. Regulatory requirements for facilities subject to NSPS are incorporated by reference in Georgia’s Rules for Air Quality Control, 391 3 1 .02(8) and located in 40 CFR Part 60. NSPS require new, modified, or reconstructed sources to control emissions to the level achievable by the best-demonstrated technology as specified in the applicable provisions.

4.4.1 40 CFR 60 Subpart A - General Provisions

All affected sources subject to source-specific NSPS are subject to the general provisions of NSPS Subpart A unless specifically excluded by the source-specific NSPS. Subpart A requires initial notification, performance testing, recordkeeping and monitoring, provides reference methods, and mandates general control device requirements for all other subparts as applicable.

4.4.2 40 CFR 60 Subpart D - Fossil Fuel-Fired Steam Generators

NSPS Subpart D, *Standards of Performance for Fossil Fuel-Fired Steam Generators for which Construction is Commenced after August 17, 1971*, applies to steam generating units with a heat input capacity of 250 MMBtu/hr or greater from fossil fuel combustion for which construction is commenced after August 17, 1971. The dryer burner at the Adel Facility will not have a maximum heat input capacity greater than 250 MMBtu/hr, nor will the unit produce steam. Therefore, the dryer burner will not be subject to NSPS Subpart D.

4.4.3 40 CFR 60 Subpart Da - Electric Utility Steam Generators

NSPS Subpart Da, *Standards of Performance for Electric Utility Steam Generating Units for which Construction is Commenced After September 18, 1978*, applies to electric utility steam generating units (EGUs) with a fossil fuel heat input capacity of 250 MMBtu/hr or greater (alone or in combination with any other fuel) for which construction, modification, or reconstruction began after September 18, 1978. The dryer burner at the Adel Facility will not be subject to Subpart Da as the unit does not meet the definition of electric utility steam generating units.

⁵ EPA memo to Regional Administrators accessed at:
<https://19january2017snapshot.epa.gov/sites/production/files/2015-07/documents/2014scotus.pdf>