Georgia Department of Natural Resources

Environmental Protection Division

205 Jesse Hill, Jr. Drive, SE, Suite 1152, Atlanta, GA 30334-4100

Lonice C. Barrett, Commissioner

Harold F. Reheis, Director

Phone: 404/656-4713

December 24, 2002

Mr. James I. Palmer, Jr.
Regional Administrator
U.S. EPA, Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

RE: Early Action Compact for Augusta, Georgia

Dear Mr. Palmer:

With this letter, the Georgia Environmental Protection Division (EPD) is submitting for approval an Early Action Compact and a Letter of Support for the greater Augusta area.

This Early action Compact is a compact between Augusta – Richmond County (Local), Georgia EPD (State), and the U.S. EPA (Federal). It is designed to develop and implement control strategies, account for growth, and achieve and maintain the 8-hour ozone standard. This approach offers a more expeditious timeline for achieving emission reductions than the EPA's expected 8-hour ozone implementation rulemaking.

Georgia EPD has recommended Richmond County only to be designated as an 8-hour ozone nonattainment area and Columbia County, which is part of the greater Augusta area, supports this recommendation. Columbia County also supports the Early Action compact because it will get cleaner air sooner, helping the entire region; it will provide more certainty in local planning; and it will allow the area and EPD to identify and implement control measures that are really needed for cleaner air. Hence, Columbia County has submitted a "Letter of Support" for this endeavor.

The South Carolina Department of Health and Environmental Control (DHEC) has expended considerable effort planning for ozone abatement efforts in the Aiken area and that an Early Action Compact has also been finalized for that area. Recognizing that regional airshed modeling domains for the Augusta/Aiken area would overlap; there could be significant opportunities for efficiencies in cooperation between the two areas. There has been some initial sharing of information and informal communications have been initiated between the two areas. Georgia EPD will endeavor to promote and support cooperation in air quality planning efforts for the two areas.

We look forward to your review and approval of this Early Action Compact and the Letter of Support. Should you or your staff have any questions, please feel free to contact Dipan Shah at (404) 363-7014.

Sincerely,

Harold F. Reheis
Director

HFR:dks

cc: Kay Prince
EPA Region IV

Ron Methier
EPD, Air Protection Branch

James Joy
South Carolina Bureau of Air Quality

Honorable Bob Young
Mayor, City of Augusta

Honorable James Whitehead
Chairman, Board of Commissioners
Columbia County

GEORGIA'S 8-HOUR OZONE EARLY ACTION COMPACT FOR AUGUSTA AREA

Prepared for

U. S. Environmental Protection Agency
Region 4
Atlanta, Georgia

Prepared by

Georgia Department of Natural Resources
Environmental Protection Division
Air Protection Branch

December 17, 2002

1.0 PURPOSE

The United States Environmental Protection Agency (EPA) has provided an option for areas currently meeting the 1-hour ozone standard, like the Augusta area, to attain the 8-hour ozone standard by December 31, 2007, and obtain cleaner air sooner than federally mandated. This option offers a more expeditious time line for achieving emissions reductions than expected under the EPA's 8-hour ozone implementation rulemaking, while providing "fail-safe" provisions for the area to revert to the traditional State Implementation Plan (SIP) process if specific milestones are not met. Through the development of this Early Action Compact (EAC), local, state, and EPA officials agree to work together to develop and implement local and state early action plan. The plan will become a part of the state early action SIP to reduce ground-level ozone concentrations to comply with the 8-hour ozone standard by December 31, 2007, and maintain the standard beyond that date. Failure to meet the obligations outlined in this EAC will result in immediate reversion to the traditional nonattainment designation process as required in the Clean Air Act (CAA).

The South Carolina Department of Health and Environmental Control (DHEC) has expended considerable effort planning for ozone abatement efforts in the Aiken area. An Early Action Compact has also been finalized for that area.

Recognizing that regional airshed modeling domains for the Augusta/Aiken area would overlap there could be significant opportunities for efficiencies in cooperation between the two areas. There has been some initial sharing of information and informal communications have been initiated between the two areas. EPD will endeavor to promote and support cooperation in air quality planning efforts for the two areas.

2.0 MEMORANDUM OF AGREEMENT

This Early Action Compact (EAC) is a Memorandum of Agreement between the local governments representing the Augusta area (Local), the Georgia Environmental Protection Division (EPD), and the United States Environmental Protection Agency (EPA). It is for the express purpose of developing and implementing an Early Action Plan (EAP) that will reduce ozone levels in the Augusta area to maintain compliance with the 8-hour ozone standard.

2.1 General Provisions

A. The signatory parties commit to develop, implement and maintain the local Early Action Plan providing EPA defers the effective date of the nonattainment designation and related requirements as long as all conditions of the EAC and key milestones are met.

B. If the potential nonattainment area fails to meet all the terms of the EAC, including meeting agreed-upon milestones, then it will forfeit its participation and may be subject to the full planning requirements under applicable CAA traditional SIP processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking.

C. If the area has had the effective date of a nonattainment designation deferred and the area does not reach attainment of the standard by December 31, 2007, then the non-attainment designation will be effective immediately. If the EPA's implementation schedule also requires a traditional SIP from areas on or before December 31, 2007,

then a traditional SIP revision demonstrating attainment by the new attainment date will be due for the nonattainment area no later than December 31, 2008.

D. Before formal adoption into the Georgia SIP, this agreement may be modified or terminated by mutual consent of all signatory parties, or any party may withdraw from the agreement by notifying other parties in writing. If a party's withdrawal from the agreement prevents remaining signatories from satisfying any of the terms and milestones of the original agreement, the agreement will be void, any deferred effective date of the nonattainment designation would be withdrawn and the area's nonattainment designation would become effective soon after. Upon termination or withdrawal from the EAC, the area will be subject to the full planning requirements under applicable CAA traditional processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking. The local government signatories will approve the local Early Action Plan before EPD includes it in the Early Action SIP. Once the local early action plan is incorporated into the early action SIP, any modifications will be treated as SIP revisions.

E. Execution of this EAC by each Party shall be by signature of each Party's authorized representative. This agreement remains in effect until December 31, 2007.

2.2 Early Action Plan

EPD agrees to develop and implement an Early Action Plan that will demonstrate attainment of the 8-hour ozone standard by December 31, 2007, and maintenance until at least 2012. EPD will develop this plan in coordination with local governments, EPA, stakeholders, and the general public. The EAP will include a process monitor and maintain long-term compliance with the standard. The EAP will be finalized for inclusion in the Georgia SIP by December 31, 2004. If a development or issue arises that may impact performance or progress toward milestones, EPD will immediately notify all other signatories.

The Early Action Plan will address the following major elements.

2.2.1 Milestones and Reporting

EPD and locals will assess progress towards developing and implementing the early action SIP and make a report available to EPA and the public every six months beginning in June 2003. As per EPA guidance, the key milestones for participation in the EAC are identified in the following table (see Table 1 below).

Table 1: Major Milestones for the Augusta Area Early Action Compact

DATE	MILESTONE	RESPONSIBILITY
December 31, 2002	EAC signed by all parties and submitted to EPA	Local/State/EPA
June 16, 2003	Potential local emission reduction strategies identified and described	Local/State
March 31, 2004	Final local Early Action Plan drafted for public participation; copy to EPA	State/local
December 31, 2004	Early Action Plan submitted to EPA for incorporation into SIP	State
September 30, 2005	EPA takes final action on SIP submitted December 31, 2004	EPA
December 31, 2005	Local/State control strategies implemented no later than this date	Local/State
June 30, 2006	State submits progress report to EPA	State
December 31, 2007	Attainment of the 8-hour ozone standard	Local/State

2.2.2 Emission Inventories

EPD will be responsible for developing all the emission inventories. Base year emissions inventory is scheduled to be developed by May 31, 2003. The base case inventory is scheduled to be developed for 1999 or later episode(s). Selection of specific episode inventories will be partially determined by the conceptual model, which reflects an analysis of meteorological conditions typical of high ozone events. These inventories will be used for SIP-quality regional air quality modeling. The inventories will include:

- Point source emissions – employing EPD Emission Inventory System data.
- Onroad mobile source emissions – employing Mobile 6 emission modeling.
- Nonroad sources - model data adjusted for local equipment usage.
- Area sources - data based, where possible, on local surveys.
- Biogenic sources – inventory developed employing methods acceptable to EPA.

A future year (2007) emissions inventory is scheduled to be developed by June 30, 2003. This inventory will sufficiently account for projected future growth in ozone precursor emissions through 2007, particularly from stationary, non-road and on-road mobile sources.

Where practicable, trends in emissions from the various source categories will be analyzed to provide a better understanding of emissions trends in the Augusta area and to facilitate verification of accuracy of the inventories.

2.2.3 Modeling

EPD will be responsible for conducting the meteorological and air quality modeling analysis. EPD will conduct the modeling analysis based on the "Draft Guidance on the use of Models and Other Analyses in Attainment Demonstrations for the 8-Hour Ozone NAAQS" (EPA-454/R-99-

004, May 1999). The modeling will follow the guidance as facilitated by the EPA Regional Office. Modeling protocol development, episode selection, model input preparation, and actual model simulations will involve close collaboration and agreement of the Augusta area representatives, EPD, and EPA. As mentioned previously, there may also be opportunity to coordinate with South Carolina for efficiency and consistency in regional modeling efforts.

Base and future case (2007) modeling are scheduled to be completed by September 30, 2003. Control strategy modeling (e.g. sensitivity analysis) is scheduled to be completed by November 30, 2003, with final revisions completed by January 31, 2004.

Modeling efforts will be carefully documented. Model performance will be assessed to assure conformance with EPA's accepted model accuracy criteria, and will sufficiently account for projected growth in ozone precursor emissions. A technical support document describing the modeling effort and attainment demonstration will be part of the Early Action Plan submittal.

2.2.4 Control Strategies

All adopted Federal and State emission reduction strategies that have been or will be implemented by the December 31, 2007 attainment date will be included in base, future and control case modeling.

Local measures being considered for the Early Action Plan will be identified and described by June 16, 2003. Following research of various emission reduction strategies and, with guidance provided by testing of various strategies with the developed regional air quality modeling, EPD will select and adopt local emission reduction measures necessary to support demonstration of attainment of the 8-hour ozone standard by December 31, 2007. These local emission reduction strategies will be designed and implemented by the community with stakeholder participation. The selected local emission reduction measures will be specific, quantified, and enforceable. Specific implementation dates, as well as detailed documentation and reporting processes will be provided for each. The local and state control strategies selected will be implemented as soon as practical, but no later than December 31, 2005.

Voluntary strategies can play a supporting role in the Early Action Plan. If emission reductions from voluntary strategies are quantified and credit is taken for them in the EAP, those emission reductions will be enforceable. Additional strategies must be implemented to meet those quantified reduction requirements if quantified voluntary strategies fail. This is true for all quantified emission reductions.

The local emission reduction measures will be incorporated by the EPD into the SIP and submitted to EPA for review and approval. In the event the area desires to add, delete or substitute measures after SIP promulgation, the area will request a modification of the EAP. Such modification will be treated as a SIP revision and facilitated by the EPD.

2.2.5 Maintenance for Growth

The EAP will include a component to address emissions growth at least 5 years beyond December 31, 2007, ensuring that the Augusta area will remain in attainment of the 8-hour standard during that period. The attainment maintenance analysis will be completed by March 31, 2004. The future attainment maintenance analysis will employ one or more of the following or any other appropriate techniques necessary to make such a demonstration:

- Modeling analysis showing ozone levels below the 8-hour standard in 2012;
- An annual review of growth (especially stationary and mobile sources) to ensure control measures and growth assumptions are adequate;
- Identification and quantification of federal, state, and/or local measures indicating sufficient reductions to offset growth estimates; or
- Any other appropriate techniques necessary to make such a determination.

The EAP will also detail a continuing planning process that includes modeling updates and modeling assumption verification (particularly growth assumptions) where changes in emissions inventories and growth assumptions warrant. The continuing planning process will consider and evaluate:

- All relevant actual new point sources and major modifications of existing sources;
- Impacts from increased emissions from potential new source growth; and
- Future transportation patterns and their impact on air quality in a manner that is consistent with the most current adopted Long Term Transportation Plan and most current trend and projections of local motor vehicle emissions.

If the review of growth with the continuing planning process demonstrates that adopted emission reduction measures are inadequate to address growth in emissions, additional measures will be added to the EAP through the SIP revision process. Local planning processes should prepare for this possibility.

In the event that the continuing planning process identifies the need to add, delete, or substitute control strategies after the local early action plan has been incorporated into the early action SIP, the local area will initiate, and EPD will facilitate a SIP revision to accommodate changes.

2.2.6 Public Involvement

Public involvement has been and will continue to be strongly encouraged during the planning and implementation process. Public awareness programs will be used to provide opportunities for involvement in the planning process, implementation of control strategies, and any other issues important to the Augusta area. Interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) have been involved in the FAQS and will continue to be involved in the planning process for EAP as early as possible. Planning meetings will be open to the public, with posted meeting times and locations. Early action SIP drafts will be publicly available, and the drafting process will have sufficient opportunities for comment from all interested stakeholders. Opportunities for public comment on the proposed early action SIP will be provided and will follow the traditional SIP revision process as implemented by EPD. Semi-annual reports detailing, at a minimum, progress toward key milestones, will be made available to the public.

2.3 Local, State, and EPA Commitments

2.3.1 Local Government (Local) Commitments

The local governments agree to assist EPD in the development and implementation of a local early action plan that will promote the area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. The local governments will provide support to EPD throughout the planning and implementation process. Areas of support will include:

- Assisting EPD in completing and adopting the early action plan as part of the SIP no later than December 31, 2004;
- Notifying parties as soon as possible of issues and developments, which may impact performance and progress toward milestones;
- Notifying parties as soon as possible if Compact milestones will be missed or have been missed;
- Notifying parties as soon as possible if Compact modification/termination is to be requested;
- Third party review of emissions inventory, modeling, and self-evaluation work;
- Strategic assistance, as appropriate, in the selection and implementation of emission reduction strategies;
- Planning assistance in developing and implementing processes to address the impact of emissions growth beyond the attainment date; and
- Support for public education efforts.

2.3.2 State Government (EPD) Commitments

EPD agrees to hold the primary responsibility for the development and implementation of an Early Action SIP that will demonstrate Augusta area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. EPD will develop this plan in coordination with the local governments, EPA, stakeholders and the public. The state early action SIP will include a process to monitor and maintain long-term compliance with the standard.

It is the responsibility of each state under the CAA to ensure attainment with all National Ambient Air Quality Standards. At any such time that an area is deemed nonattainment, the state will be required to develop a plan to return the area(s) to attainment in accordance with the CAA. If applicable, Georgia is committed to working with adjacent states to assure mutual attainment of national standards.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or

modification has been requested), EPD will notify all other signatories in writing as soon as possible.

EPD will provide support throughout the planning and implementation process by:

- Developing emission inventories, modeling, trends analysis, and quantification and comparison of control measures.
- Providing necessary information on all federal and state adopted emission reduction measures, which affect the area.
- Providing technical and strategic assistance, as appropriate, in the selection and implementation of control strategies.
- Providing technical and planning assistance in developing and implementing processes to address the impact of emissions growth beyond the attainment date.
- Maintaining monitors and reporting and analysis of monitoring data.
- Promoting public awareness efforts.
- Coordinating communication between local areas and the EPA to facilitate continuing the EPA review of local work.
- Ensuring expeditious review of local early action plan, and if deemed adequate, proposing modification of the early action SIP to adopt the early action plan.
- Adopting control measures into the early action SIP as expeditiously as possible. The final complete early action SIP revision must be completed, adopted, and submitted by the state to the EPA by December 31, 2004.
- Tracking progress. If any milestone is missed and EPA withdraws the deferred effective date, thereby triggering a nonattainment designation and applicable statutory requirements, the state will strive to submit a traditional nonattainment SIP within one year.

2.3.3 Federal Government (EPA) Commitments

EPA will recognize Augusta area's and EPD's commitment to voluntarily adopt an early, substantive, scientifically-based and enforceable attainment plan with early implementation of control measures by becoming a party to the Early Action Compact developed in conformance with the EPA's EAC Protocol. EPA responsibilities include:

- If monitors in the Augusta area reflect nonattainment when EPA's 8-hour ozone implementation guidelines call for designations or at any time during the area's participation in the Early Action Compact, EPA will defer the effective date of nonattainment designation and related requirements for the area as long as all terms and milestones of the Compact are being met, including submission of the early action SIP revision by 2004.

- EPA will provide technical assistance to EPD and the Augusta area in the development of the early action plan.

- EPA will move quickly to review and approve completed plans by no later than September 30, 2005.

- Provided that the area has progressed from nonattainment to attainment status by December 31, 2007, EPA will move expeditiously to designate the area as attainment and impose no additional requirements.

- If at any time the area does not meet all the terms of this compact, including meeting agreed-upon milestones, then it will forfeit its participation and be designated (or re-designated if necessary) according to EPA's 8-hour ozone implementation guidelines. EPA will offer such an area no delays, exemptions or other favorable treatment because of its previous participation in this program.

- If the Augusta area violates the standard after December 31, 2007, the area will be designated nonattainment. EPD will then submit a revised attainment demonstration SIP revision according to the CAA and EPA's 8-hour implementation rule, unless the 8-hour implementation schedule requires SIPs from 8-hour nonattainment areas before December 31, 2008. In that event, a revised attainment demonstration SIP revision for the participating area will be due as soon as possible but no later than December 31, 2008. In no event will EPA extend the attainment date for the area beyond that required by the CAA and/or EPA's 8-hour implementation rule.

- The region will not be allowed to renew this EAC after December 31, 2007, or to initiate a new compact if it has previously forfeited its participation.

2.3 Signatures

Mr. Jimmy Palmer, Jr.
Administrator, U.S. Environmental Protection Agency, Region 4

12-30-02
Date

Mr. Harold Reheis
Director, Georgia Environmental Protection Division

12/18/02
Date

The Honorable Bob Young
Mayor, City of Augusta

12/17/02
Date

COLUMBIA COUNTY
New Horizons

BOARD OF COMMISSIONERS

December 20, 2002

United States Environmental Protection Agency
Atlanta, Georgia

Georgia Environmental Protection Division
Department of Natural Resources
Atlanta, Georgia

Gentlemen:

A request was made of Columbia County to join in "Georgia's Eight Hour Ozone Early Action Compact for Augusta Area" (the "Early Action Compact") along with Richmond County and yourselves. While Columbia County has chosen not to be a signatory to the EAC, it is vitally interested in clean high quality air. The purpose of this letter is to express to you Columbia County's support for activities to improve the quality of the air in the Greater Augusta Area of which Columbia County is a part.

Columbia County supports the action provided for in the Early Action Compact because it will obtain cleaner air sooner, helping the entire region. For the reasons stated above, Columbia County will continue to be an active participant in the Fall Line Air Quality Work and will continue to work with Richmond County on the development of an early action plan. We understand that Georgia EPD has recommended Richmond County only to be designated as an Eight Hour Ozone non-attainment area, and we support that recommendation. Columbia County feels strongly that it should not be designated as a non-attainment area. By continuing to participate in the local planning process, Columbia County is not suggesting in any way that Columbia County should be included in the boundaries of any non-attainment area that is designated for the Augusta area.

Georgia Tech and the Columbia County Engineering and Environmental Services Division have jointly operated an air quality monitoring station since early 2001. Columbia County has provided a number of in-kind services to assist in that project, including the construction of a new shelter to house the equipment. The Columbia County staff is readily available to monitor the equipment, conduct various tests, notify Georgia Tech personnel of on-sight problems and provide lightning protection and other security measures at the facility. Columbia County has been a cooperative partner in the

P.O. Box 498 • Evans, GA 30809 • Phone: (706) 868-3379 • Fax: (706) 868-3348

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project since its inception. The County will continue to assist Georgia Tech in monitoring this project.

We trust that this adequately explains Columbia County's position in support of action to improve air quality even though it has not joined in the Early Action Compact. If you have any questions concerning this, please contact Mr. Steve Szablewski, the Columbia County Administrator.

Very truly yours,

Columbia County, Georgia

By: James H. White Lead Sr.
Chairman of its Board of Commissioners

P.O. Box 498 • Evans, GA 30809 • Phone: (706) 868-3379 • Fax: (706) 868-3348