



October 31, 2006

**VIA FACSIMILE AND E-MAIL**

Mr. Jimmy Johnston  
Air Protection Branch  
Georgia Environmental Protection Division  
4244 International Parkway, Suite 120  
Atlanta, Georgia 30354

Re: Georgia Mercury Rule Proposal

Dear Jimmy:

After submitting the Georgia Air Coalition's comments on the draft mercury rule earlier today, I realized I had inadvertently omitted two items, and I am therefore writing to supplement those comments.

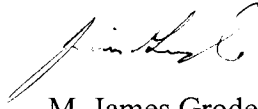
First, in subparagraph (15)(m), we should have stricken through the second "only," as follows:

Only Georgia Mercury Allowances issued under subparagraph 15(i) may ~~only~~ be used to comply with the requirements of subparagraph (k).

Second, there is a slight potential discrepancy in the deadlines for installing mercury monitoring equipment (CEMS). The draft Clean Air Mercury Annual Trading Program, at subparagraph (14)(ii), incorporates by reference 40 C.F.R. § 60.4170, which requires installation of CEMS by January 1, 2009. However, under subparagraph (sss)(1) of Multipollutant Control for Electric Utility Steam Generating Units, several units in Georgia will be required to install and operate mercury controls beginning in June 1, 2008. It makes no sense to install the controls and then, seven months later, install the CEMS, and it is only sensible to include data from the entire period the units are operating with controls when evaluating their effectiveness. Therefore, although we believe it is implied that the CEMS on these units will be installed and operated beginning June 1, 2008, we believe a provision should be added making this requirement explicit.

Again, we appreciate the opportunity to comment on the draft rule. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "M. James Grode". The signature is written in a cursive style with a large, sweeping initial "M".

M. James Grode  
Staff Attorney  
Southern Environmental Law Center