Georgia Rules and Regulations
Administrative Bulletin for May 2024

OFFICE OF SECRETARY OF STATE
ADMINISTRATIVE PROCEDURE DIVISION
5800 Jonesboro Road
Morrow, GA 30260
(404) 909-8909

Final rules filed with the Georgia Secretary of State during the month of *May 2024:*

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189. RULES OF STATE ETHICS COMMISSION	189-2-.13	adopted	Apr. 26, 2024	May 16
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	391-3-5-.39	amended	Apr. 22, 2024	May 12
	391-4-2-.31	amended	May 2, 2024	May 22
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Department 53. GEORGIA BOARD OF ATHLETIC TRAINERS

Chapter 53-4. LICENSURE BY RECIPROCITY

53-4-.03 [Effective 6/12/2024] Application

(1) Each candidate for licensure by reciprocity must file a written application on a form which will be furnished by the Board upon request. The application form must be filled out in its entirety, must include all relevant documents and fees. (See Fee Schedule)

(2) The applicant shall direct either the state board to send to the Georgia Board an official verification of licensure or NATA to send to the Georgia Board an official verification of registration.

(3) All applications for licensure must be complete within the timeframe indicated in the Joint Secretary Rules and/or policies. All applications not completed within this designated timeframe shall be considered "expired" and withdrawn. Following expiration of an application, a new application in its entirety, to include all required fees, shall be required for consideration of licensure.

(4) Once an application is reviewed by the Board, no refund of the application fee shall be issued.

Cite as Ga. Comp. R. & Regs. R. 53-4-.03

AUTHORITY: O.C.G.A. §§ 43-1-7**,** 43-1-25**,** 43-5-6**,** 43-5-8**,** 43-5-9**.**

HISTORY: Original Rule entitled "Application" was f. Apr. 28, 1989; eff. May 18, 1989.

Amended: F. May 23, 2024; eff. June 12, 2024.

Department 85. RULES OF GEORGIA ATHLETIC & ENTERTAINMENT COMMISSION

Chapter 85-1. PROFESSIONAL BOXING

85-1-.05 Conduct of Promotion

(1) **General Responsibilities and Provisions.** During the performance of any promotion it shall be the promoter's responsibility to ensure the compliance with all laws and rules governing professional boxing in Georgia. Such responsibilities shall include, but will not be limited to, the following:

(a) **Medical Insurance.** The promoter shall provide for the participants insurance covering ambulance services; medical, surgical and hospital care with a minimum limit of $20,000 for injuries sustained while participating in said program, and for a $20,000 death benefit awarded to the estate of any Contestant should death occur from injuries received while participating in said contest.

(b) **Ambulance Service.** The promoter shall provide continuous ambulance service with a state-certified EMT attendant, who shall then provide a resuscitator, stretcher, backboard, oxygen and such other medical equipment reasonably expected for an immediate trauma care, and who shall be present before the start of each contest and shall remain on site until the close of the program.

1. For the purposes of this section, a program of boxing begins with the commencement of the first bout and ends when the last Contestant leaves the site of the program.

2. The chief referee and/or the commission appointed supervisor shall meet with the EMT prior to the beginning of the show. During such meeting the commission supervisor will instruct the EMT concerning the show, placement of the stretcher and any other information necessary to ensure prompt and appropriate immediate care should such care be needed.

3. Such ambulance shall be able and available to immediately transport any severely injured Contestant to an appropriate medical facility.

4. If the ambulance or EMT is required to leave the site of the show for any reason, no boxing will be allowed to continue until another ambulance or replacement MET returns to the site.

(c) **General Safety.** It shall be the promoter's responsibility to insure safety for the Contestants, officials and fans and to comply with all safety standards required by the commission.

(d) **Arena Security.** Arena security is the responsibility of the promoter and such security measures provided by the promoter shall be sufficient to maintain order. At a minimum, 2 sworn off-duty law enforcement officers shall be retained for security.

(e) **Obtain Ring.** The promoter will provide a ring for the show and that ring must pass the certification requirements established by the commission.

(f) **Extra Gloves.** Each promoter must have an extra set of gloves of the appropriate weight available to be used in case a glove is broken or otherwise damaged during the course of the contest or exhibition.

(g) **Ring & Glove Certification.** It is the promoter's responsibility to ensure that the ring and gloves selected for use during each show meet the commission's rules and regulations concerning proper certification should be resolved no less than ten (10) days prior to the date of the show.

(h) **Advanced Advertising.** In addition to the requirements in this Chapter, no contestant or celebrity shall be advertised by any promoter before said promoter has in his or her possession a written commitment from said contestant or celebrity and before said promoter has filed a copy of such written commitment with the commission.

(i) **Suggesting Benefits for Charitable Organization.** No promoter may advertise, hold out, or suggest in any fashion that a portion of the proceeds of any proposed show will be donated to a charitable organization without first complying with the commission's rules governing "programs for charity."

(j) **Main Event Start Time.** The final bout for all events sanctioned by the Georgia Athletic and Entertainment Commission shall start at the discretion of the Commission on the date for which the event permit is approved.

(2) **Ringside Physician.**

(a) **Providing a physician.** It shall be the responsibility of the commission representative to assign one or more physicians at ringside during the contest.

1. The physicians assigned must be on the roster of physicians authorized to conduct pre-fight physicals and serve as ringside physicians created by the Georgia Athletic and Entertainment Commission.

2. At least one ringside physician must have in his or her possession any medical supplies and equipment reasonably anticipated to provide first-aid medical assistance for the type of injuries reasonably anticipated to occur in professional boxing matches.

3. The promoter shall compensate assigned ringside physicians in an amount to be mutually agreed upon.

(3) **Arena.**

(a) **Drinks.** No boxing match will be allowed to commence or continue, without specific authorization from the commission, in any arena where concessionaries dispense or serve beverages in containers other than plastic or paper cups.

(b) **Arena safety.** No boxing match will be allowed to commence or continue in any arena which appears to the commission appointed supervisor to be unsafe or where the commission appointed supervisor has reason to believe that such building or location does not conform to any applicable laws, ordinances and regulations in the city or unincorporated county area.

(c) **Dressing rooms.** The only people allowed in the Contestant's dressing room are the Contestant, manager, commission representatives including appointed commissioners, approved physician(s), news media representatives, and promoters.

1. Promoters may be required by the commission appointed supervisor to post a guard at the entrance to the dressing rooms to aid in enforcement of dressing room security.

2. If requested by the commission, a separate dressing area should be provided for all referees and judges.

(4) **Show.**

(a) **Marketing Prohibited Without Prior Commission Approval.** Commission approval or authorization must be obtained prior to selling tickets, making announcements, or distributing advertisements concerning any show, show date, contestants, or matches.

(b) **Rounds scheduled.**

1. Unless otherwise approved by the commission, promoters shall schedule no less than twenty-four (24) rounds of boxing on one (1) program. For a mixed martial arts program, promoters shall schedule twenty-four (24) rounds total, or at least seven (7) bouts that comprise a minimum of twenty-one (21) rounds total. The rounds must be

scheduled and approved by the Commission three (3) days prior to the event. An emergency bout must be provided in case any of the scheduled bouts are not held.

2. No boxing match shall have any rounds lasting longer than three (3) minutes.

(i) All contests or exhibitions in professional boxing featuring male boxers will be required to have 3 minutes rounds with 1 minute rest period between rounds.

(ii) All contests or exhibitions in professional boxing featuring female boxers will be required to have 2 minute rounds with 1 minute rest periods between rounds.

3. No boxing or exhibition shall be permitted for more than 10 rounds duration, except in a championship match, which shall not exceed 12 rounds.

(c) **Card Approval.** Requests for preliminary approval of cards should be received by the commission no less than ten days prior to the date of the contest. The Final card must be received by the commission no less than three days prior to the date of the contest.

1. Substitutions to the final card will only be allowed after sufficient evidence documenting a medical reason why such substitution is required.

(i) Substitutions can occur if the promoter is actively working to search for a replacement. The Executive Director and the Chairman or Vice Chairman of the Commission must approve the proposed bout.

2. No substitution will be allowed during the final seven hours prior to the beginning of the show.

(5) **Purse.**

(a) **Method of Payment.** Except as otherwise stated below, purses shall be paid by certified or cashiers check immediately after the contest. Payments of percentage contracts shall be made as soon as the amount can be determined. If requested by the Commission or by any Contestant, all purse payments shall be made in the presence of the authorized commission representative.

1. After notification and approval by the Commission, arrangement for the payment of any purse greater than $50,000.00 shall be mutually agreed to by the promoter and the Contestant.

2. Should a promoter default on payments to Contestants, only that amount disclosed on the contract or bout agreement filed with the Commission and in advance of the bout will be covered by any bond on file with the Commission.

(b) **Minimum Payment per Contracted Round.** All contestants shall be guaranteed a purse equal to or exceeding $50.00 per contracted round.

(c) **Authorized Purse Deductions.** Promoters may deduct from any contestant's purse, the total amount of fees or fines owed to the Commission by said Contestant, including, but not limited to, fees required to issue to such contestant a federal identification card and/or state license, where such fees or fines have not previously been paid by said contestant. Any such deduction shall immediately be remitted to the Commission.

(6) **Contracts.**

(a) **Contract or Bout Agreement: Unless agreed upon in advance by the Georgia Athletic and Entertainment Commission, all bout agreements must be on the form approved by the Commission.**

1. The amount of guarantee or percentage promised; the number and time limit of rounds; which and where the official weigh-in will be conducted; when and where the Contestants are scheduled to appear; weight; and all other reasonably expected to be an issue of agreement within professional boxing contracts and agreement.

(i) Weights expressed on bout agreements for all four and six round bouts shall allow no less than a +/-2 pounds variance of the contracted weight.

(ii) Weights expressed on bout agreements for all championship (12 rounds) matches shall be absolute and shall not allow for any variance.

2. Signature of the promoter or his or her designated representative, and the Contestant or his or her designated representative.

3. All bout agreements will state the following in bold type: Each Contestant applying for a license is required to obtain on their own a Hepatitis B and Hepatitis C blood test and must present to the Commission representative no later than at the weigh-in the result of such test conducted within 180 days of the proposed match.

(b) **Contract or Bout Agreement: Required Form for Submission.** All information appearing on any handwritten agreements or contracts shall be typed or printed clearly.

(c) **Contract or Bout Agreement: File with Commission.** One copy of each signed written agreement or contract, once executed by both parties and within three calendar days of such execution, shall be filed with the Commission.

1. No boxing match shall be allowed to commence prior to execution of a signed contract or bout agreement by both parties or before said contract or bout agreement is submitted to the Commission.

(d) **Violations: Grounds for Suspension.** Violation by either party of any written bout agreement or contract may be grounds for suspension of any license issued by the Commission and may, in addition to such suspension result in a fine imposed by the Commission.

(7) **Failure to Perform.**

(a) **Promoter Failure to Perform.** The failure of a promoter to perform according to the terms of the contract; to produce contestants or special added attractions as advertised; to pay the contestants their contractual guarantee, or percentage; or the failure of a promoter to live up to his or her agreement with his or her contestants or performers who did perform as scheduled is prohibited.

(b) **Contestant Failure to Perform.** The failure of a contestant under contract with a licensed promoter to perform according to the terms of said contract; or the failure of a contestant to live up to his or her agreement with a person to which the contestant is under contractual agreement is prohibited.

(c) **Violation: Penalties.**

1. Violation of either paragraph (a) or (b) within this subsection shall, for the first offense, be grounds for administrative suspension of not less than 90 days and a fine of not more than the contracted purse amount disclosed on the bout agreement or contract.

2. The second and/or any subsequent violation by any person of either paragraph (a) or paragraph (b) within this subsection may, in addition to any suspension by the Commission, subject the violator to a fine of not more than the contracted purse amount as disclosed on the bout agreement or contract plus not more than an additional $10,000. Said fine to be imposed by the Commission.

3. Any person or license holder violating on three or more occasions either paragraph (a) or paragraph (b) within this subsection shall have his or her license suspended indefinitely. Provided, however, that any action by the Commission to enforce or attempt to enforce the provisions of this sub-paragraph will be taken only after notice and hearing according to the "Georgia Administrative Procedure Act," Title 50, Chapter 13 of the Official Code of Georgia Annotated.

Cite as Ga. Comp. R. & Regs. R. 85-1-.05

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-14**,** 43-4B-19**.**

HISTORY: Original Rule entitled "Conduct of Bout" adopted. F. May 30, 1984; effective June 19, 1984.

Amended: F. Mar. 25, 1985; eff. Apr. 14, 1985.

Repealed: New Rule of same title adopted. F. June 11, 1999; eff. July 1, 1999.

Repealed: New Rule entitled "Conduct of Promotion" adopted. F. Dec. 2, 2002; eff. Jan. 1, 2003, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 16, 2003; eff. Jan. 5, 2004.

Repealed: New Rule of same title adopted. F. June 11, 2007; eff. July 1, 2007.

Repealed: New Rule of same title adopted. F. July 1, 2013; eff. July 21, 2013.

Repealed: New Rule of same title adopted. F. Dec. 16, 2015; eff. Jan. 5, 2016.

Repealed: New Rule of same title adopted. F. Mar. 29, 2016; eff. Apr. 18, 2016.

Repealed: New Rule of same title adopted. F. Nov. 21, 2017; eff. Dec. 11, 2017.

Amended: F. May 20, 2024; eff. June 9, 2024.

85-1-.07 Officials (Referees, Judges, and Timekeepers)

(1) **General Provisions.**

(a) Each official must be licensed by the Commission prior to working in any professional boxing match.

(b) Each official will be assigned or appointed by the Commission.

(c) Each official assigned to serve in a boxing match is a contract employee of the promoter of such match.

(d) A referee and three judges shall officiate all boxing bouts. A majority vote of the judges will determine the outcome of the contest.

(e) No active manager, promoter, trainer, or contestant shall be allowed to officiate at any contest.

(f) Any referee or judge assigned to a match who becomes unable to officiate shall notify the Commission assigned supervisor before 2:00 p.m. on the day of the contest.

(2) **Compensation for boxing referees and judges.**

(a) All payments of fees, including travel expenses when required, to boxing referees and judges shall be paid by the promoter conducting the show and shall be on the following basis:

1. Payment shall be made to the Commission appointed supervisor no later than at the weigh-in, and shall be by cashiers check or money order.

2. When assigned by the Georgia Athletic and Entertainment Commission or the Commission Secretary, the fee for a chief official who will perform the duties of the Commission representative shall be $300.00.

3. When the gross aggregate purse of the show does not exceed $50,000, the fee for each referee shall be $150.00 and the fee for each judge shall be $150.00.

4. When the gross aggregate purse of the show is between $50,000 and $100,000, the fee for each chief official shall be $400.00.

5. When the gross aggregate purse of the show is between $50,000 and $100,000, the fee for each referee shall be $200.00 and the fee for each judge shall be $200.00.

6. When the gross aggregate purse of the show is between $100,000 and $300,000, the fee for each chief official shall be $500.00.

7. When the gross aggregate purse of the show is between $100,000 and $300,000, the fee for each referee shall be $250.00 and the fee for each judge shall be $250.00.

8. When the gross aggregate purse of the show exceeds $300,000, the fee for each chief official, referees and judges shall be set by the Commission.

9. Except as provided in the (7)(c) below, [sanctioned championship bouts], payment for the timekeeper and countdown person shall be the same as payment for each assigned judge.

10. Travel expenses for officials required to travel over a distance set by the Commission appointed supervisor, provided that such amount shall not exceed the usual and customary amount allowed by state guidelines for state employees. Hotel rooms may be required at the discretion of the Commission.

(b) In the event one [or more] of the referees assigned to a boxing show become incapacitated, or in an emergency situation where he or she become unavailable, the remaining referee[s] shall referee the remaining contests of the program and, at the discretion of the Commission assigned supervisor, may be compensated in a greater amount to exceed the total amount originally intended for the unavailable referee[s]. In such a situation, the compensation to be paid to the incapacitated or unavailable referee shall be reduced accordingly.

(c) The compensation schedule set forth in (a) above shall not apply in a sanctioned championship bout. The Commission shall set compensation to be paid to the boxing referees and judges officiating at sanctioned championship bouts. In making this determination, the Commission may consider any standards or recommendations made by a recognized boxing association. Nevertheless, the Commission shall retain full authority to set the compensation schedule for boxing referees and judges in championship bouts regardless of a recommendation by such association.

(3) **Referees and Judges.**

(a) **General Provisions for Referees.**

1. The referee is the chief official of the contest and has general supervision over the bout.

2. Before the contest, the referee shall ask the name of each contestant's chief second and shall hold that chief second responsible for the conduct of the contestant during the contest.

3. Before each bout the referee shall call the contestants and their chief second together for final instructions. Referees must then instruct boxing contestants that wrestling and rough tactics will not be tolerated and instruct the boxers to protect themselves at all times. The contestants, after receiving final instructions, shall shake hands and retire to their corners.

(b) **Referee's Power.**

1. The referee is the only person empowered to stop a fight during or between rounds.

2. The referee may stop a bout by disqualifying both contestants if he or she reasonably believes the contestants are not boxing in earnest.

(c) **Referee's Duties.**

1. **Pre-Show Instructions.** Referees shall meet with the contestants and with each chief second appointed by the contestants prior to the beginning of the show and during that meeting shall inform each party of the rules applicable to each fight as well as the in-ring conduct expected from each contestant and second assisting in the corner of each contestant.

2. **Pre-Bout Confirmation of Officials and Physician.** Prior to calling for the sounding of the bell to begin each bout, the referee in the ring will confirm that the ringside physician as well as each judge assigned to the bout is in place at ringside.

3. **Touching Contestants.** The referee shall not touch the competing boxers except when one or both fails to obey the break command.

4. **Count: How to Proceed.** The referee's count is the official count. When a contestant is knocked down, the referee shall order the opponent to retire to the furthest corner of the ring, pointing to that corner. Once the opponent has so retired to the farthest neutral corner the referee will immediately pick up the timekeeper's count. The referee shall then audibly announce the passing of each second, accompanying the count upward with motions of his or her arm, indicating the count with visual finger counts at the end of each second. The referee may cease counting if the opponent fails to remain in the neutral corner until the count is complete. No contestant who is knocked down shall be allowed to resume boxing until the referee has finished counting eight. The contestant may take the count either on the floor or standing.

5. **Count: Continue for Dazed Contestant.** Should a contestant who is down rise before the count of 10 and again go down without being struck then the referee shall resume the count where he or she stopped.

6. **Saved by the Bell.** A boxer cannot be saved by the bell in any round including the final round of any boxing contest.

(i) When any round ends before a contestant who was knocked down rises, the bell shall not ring and count shall continue. If the contestant rises before the count of ten, the bell shall ring ending the round.

(ii) The one-minute rest period, delayed by the count in (i) above, shall not begin until the bell has sounded ending the round.

(iii) A knockdown will not be awarded or scored if the blow was struck after the bell ending the round has sounded.

7. **Boxers Knocked Out of the Ring.**

(i) Any boxer knocked out of the ring shall receive a twenty (20) second count.

(ii) During the time that any such boxer is outside the ring, he or she shall not be assisted by any member of their corner and such assistance, if offered shall end the match with that boxer losing by a technical knockout.

(iii) As a general precaution, to protect the safety of the boxer and to prevent any potential injury, a boxer knocked out of the ring may have his or her fall stopped or slowed by any person without penalty, provided that such assistance shall only be to prevent injury from the fall and not to assist the boxer in returning to the ring.

8. **Standing Eight Count.** There shall be no standing eight count.

9. **Knock-Out.** If the contestant fails to rise before the count of 10 the referee shall declare said contestant the loser by a knockout.

10. **Failure to Answer Bell.** A contestant shall not leave the ring during any 1 minute rest period between rounds. If any contestant fails or refuses to resume boxing when the bell sounds signaling the commencement of the next round, the referee shall award a decision of technical knockout to his opponent as of the round which has last been finished.

(i) If the circumstances indicate to the referee the need for investigation or punitive action, the referee may withhold giving a decision and may recommend the purse or purses of either or both boxers should be withheld pending a Commission hearing.

11. The referee shall have the authority to stop a contest at any time if one of the boxers is unable or no longer able to defend himself.

(4) **Fouls.** In general, a referee has wide discretion in how to punish an offending boxer who fouls his or her opponent. If the referee determines that a foul is unintentional, he or she may simply caution the offending boxer to be attentive to the rules concerning fouls. If the foul is determined to be intentional, the referee may issue a warning to the offending boxer, may deduct one or more points from the offending boxer. **The referee may also disqualify any boxer who intentionally fouls his or her opponent.**

(a) Fouls, whether intentional or unintentional, are defined as follows:

1. Hitting below the belt;

2. Holding an opponent with one hand while hitting said opponent with the other hand;

3. Hitting an opponent who is "down" or who is getting up after being "down";

4. Holding an opponent or deliberately maintaining a clinch;

5. Butting with the head or shoulder or using the knee, injuring the opponent;

6. Hitting with the inside or butt of the hands, the wrists, or the elbows, injuring the opponent;

7. Hitting or "flicking" with open gloves;

8. Wrestling or roughing at the ropes;

9. Purposely going down without being hit;

10. Striking deliberately at that part of the body surrounding the kidneys;

11. The use of abusive or profane language;

12. Jabbing an opponent's eyes with the thumb of glove;

13. Rabbit punches (hitting the back of the head or neck);

14. Failure to obey the referee;

15. Any physician action which may injure a contestant other than sportsmanlike boxing.

(b) **Intentional Foul.** At the referee's discretion, any foul defined in subparagraph (a) may be called "intentional."

1. Upon the first occurrence of such intentional foul and during the same round as such intentional foul occurs, the referee may, at his or her discretion and without previous warning, disqualify the offending boxer or deduct one (1) point from the offending boxer.

2. Upon the second occurrence of such intentional foul, the referee may, at his or her discretion and without previous warning disqualify the offending boxer or deduct two (2) points from the offending boxer.

3. If an intentional foul causes an injury and the injury is severe enough to terminate the bout immediately, the boxer causing injury shall lose by disqualification.

4. If an intentional foul causes an injury and the bout is allowed to continue, the referee will immediately notify the judges of the foul and the injury and deduct two (2) points from the boxer who caused the foul. **Point deduction for an intentional foul that causes injury to a boxer is mandatory.**

5. If an intentional foul causes an injury and the injury results in the bout being stopped later in the round, the injured boxer;

(i) If ahead on the score cards, will win by Technical Decision (TW), or

(ii) If behind or even on the score cards, the bout will be judged a Technical Draw (TD).

(c) **Unintentional Foul.** Except as provided below, no point will be deducted from the score or other disciplinary action taken against either boxer for an unintentional foul unless a previous warning has been given to the offending boxer. For the purposes of this subparagraph, unintentional fouls are actions as described in sub-paragraph (a) above, which in the judgment of the referee were not intentionally caused.

1. If an unintentional foul causes an injury severe enough for the referee to stop the bout immediately, the bout result will be announced in accordance with the Uniform Championship Rules in effect at the time of the bout.

(Editor's Note: Currently the Uniform Championship Rules state that a bout stopped before four completed rounds be reported as a "No Contest.")

2. If an unintentional foul causes an injury severe enough for the referee to stop the bout after four (4) rounds have been completed, the bout will result in a Technical Decision (TW), awarded to the boxer who is ahead on the score cards at the time the bout is stopped.

(i) Partial or incomplete rounds will be scored. If no action has occurred, the round shall be scored as an even round.

(d) **Cuts and Lacerations.** A cut or laceration caused by either an intentional or an unintentional foul may only be treated during the one-minute break between rounds, provided however that the referee may call a brief time-out and request a physician's evaluation of the cut to determine if the bout shall be allowed to continue. During such time-out, the cut may not be treated by the physician or any other person.

(5) **Scoring.**

(a) **Contestant: When Considered Knocked Down.** A contestant shall be deemed down when, after a scoring blow was struck and:

1. Any part of the downed boxer's body, other than his or her feet, makes contact with the ring floor;

2. He or she is hanging over the ropes in a defenseless manner (a referee can count the boxer out either on the ropes or on the floor);

(b) A knockdown shall not be scored when:

1. The referee indicated that the boxer fell after slipping or being tripped.

2. The referee or the Commission supervisor determines that the blow was struck after the bell sounded ending the round.

(c) **Deducting Points for Fouls.**

1. A judge shall be careful to correctly deduct any point or points from the scorecard as commanded by the referee.

2. When one or more points is to be deducted from a boxer's score, the judge shall first record his or her actual score for the round (gross points before any points are deducted) and shall then deduct the appropriate number of points from that score to arrive at a net score for the round. Not withstanding the provisions in (d) below [10 Point Must System], the net score for the round, after points are deducted, may result in either boxer receiving a 10-point score.

(d) **The 10 Point Must System.**

1. The 10 Point Must System shall be used as the standard scoring of a bout.

(6) **Low Blows: Intentional or Unintentional.**

(a) **Recuperation Time.** Any contestant struck by a low blow may, at the discretion and after consultation with the ring physician, be given up to five (5) minutes to recuperate.

1. During such recuperation the injured boxer may sit on a stool inside the ring, or in a neutral corner, but may not rest in his assigned corner.

2. Only the referee is allowed to assist the injured boxer during the five minute rest period.

3. The uninjured fighter, during any such rest period, may not be assisted and shall remain in the neutral corner furthest from the boxer.

(b) **Bout Stopped by Low Blow: Decision.** Except as provided in sub-paragraph (4)(a)15. [unsportsmanlike conduct] of this rule, no contestant injured by a low blow may be awarded the contest.

1. If a contestant falls to the ring floor or otherwise indicates an unwillingness to continue because of a claim of a low-blow, he shall be declared the loser by a technical knockout.

(7) **Timekeepers.**

(a) **Number Assigned per Bout.** Two licensed timekeepers, assigned by the Commission, shall be required at each event; one to keep time and one to count for the knockdowns.

(b) **Duration of Rounds.** Except as provided in (3)(c)6. above [Saved by the Bell], the timekeeper shall ensure that each round featuring male boxers last no more and no less than three minutes, and that each round featuring female boxers lasts no more and no less than two minutes.

(c) **Announcement Responsibilities.**

1. The gong shall be sounded at the beginning and at the end of each round. Except as provided in (d) below [emergency suspension of round], the timekeeper shall not sound the gong during the process of the round.

(i) Regardless of the sounding of the gong, the referee in the ring is the sole authority to announce when the round begins. Each boxer will remain in their assigned corner. The referee, once he or she is satisfied that each boxer is prepared to begin and that no condition exists which may present a medical hazard to either boxer, will announce "FIGHT."

(ii) The timekeeper will immediately start the clock at the referee's command of "FIGHT."

2. Timekeepers shall alert the referee by striking the table 10 seconds prior to the end of each round.

3. Timekeepers shall blow their whistle 10 seconds prior to the end of each one-minute rest period.

(d) **Countdown Responsibilities.** When a boxer is down, the timekeeper shall rise and start his or her count, counting one for each second until 10 is reached. After the referee has taken control of the count, the timekeeper shall be seated and cease counting.

(e) **Emergency Suspension of Round: Responsibility to Announce.** If the referee is absent from the ring or temporarily incapacitated the timekeeper shall immediately sound the gong for temporary discontinuance of the contest.

(8) **Chief Official.**

(a) Chief Officials will assume the role of the Commission representative for events to which they are assigned.

Cite as Ga. Comp. R. & Regs. R. 85-1-.07

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-14**,** 43-4B-19.

HISTORY: Original Rule entitled "Forms" adopted. F. May 30, 1984; effective June 19, 1984.

Repealed: New Rule of same title adopted. F. June 11, 1999; eff. July 1, 1999.

Repealed: New Rule entitled "Officials (Referees, Judges, and Timekeepers)" adopted. F. Dec. 2, 2002; eff. Jan. 1, 2003, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 16, 2003; eff. Jan. 5, 2004.

Repealed: New Rule of same title adopted. F. June 11, 2007; eff. July 1, 2007.

Amended: F. Dec. 23, 2008; eff. Jan. 12, 2009.

Amended: F. May 20, 2024; eff. June 9, 2024.

Department 85. RULES OF GEORGIA ATHLETIC & ENTERTAINMENT COMMISSION

Chapter 85-4. FULL CONTACT KICKBOXING, INTERNATIONAL RULES KICKBOXING, AND THAI BOXING (MUAY THAI KICKBOXING)

85-4-.07 Contestants' Equipment

(1) Contestants shall provide all necessary personal equipment (subject to approval by the Commission) for use by themselves and their seconds in all Commission sanctioned bouts. This necessary personal equipment shall include appropriate shorts or trousers, tape and bandages to be wrapped around the hands to prevent sprains and knuckle separations, padded protective equipment to be worn on the feet (Full Contact division), a groin protector for men and a breast protector for women (recommended), two Commission-approved mouth pieces, and water bottles.

(2) Contestants shall wear contrasting colored uniforms.

(3) Bandaging of each competitor's hands shall not exceed one roll of surgeon's adhesive tape, not over 1-1/2 inches wide, placed directly on the hand to protect the part of the hand near the wrist. The tape may cover the hand but not extend within ¾ inch of the knuckles when the hand is clenched to make a fist. Soft surgical bandage, not over two inches wide, held in place by not more than six feet of surgeon's adhesive tape for each hand shall be used. Up to one 10-yard roll of bandage may be used to complete the wrappings for each hand. Strips of tape may be used between the fingers to hold down the bandages, not to cover the knuckles. Bandages shall be adjusted in the locker room in the presence of a Commission official. Cloth hand-bandages, maximum length of 3.5 yards, may be used if approved by the Commission representative.

(4) The weight and type of padded protective equipment to be worn on the contestant's hands and feet shall be determined by the Commission in advance of the event. Matched contestants must wear padded protective equipment on the hands of an identical size, shape, and style and manufacture as provided by the promoter.

(5) Male contestants must wear a foul-proof groin protector. Abdominal guards are also acceptable. Female contestants must wear a sports or athletic bra. In addition, foul-proof breast protectors or plastic breast covers can be worn. The Commission recommends that female contestants also wear pelvic protection.

(6) All contestants must wear a Commission approved individually fitted mouthpiece.

(7) Contestants with long hair may wear Commission approved hair stays.

(8) All contestants weighing under 147 lbs must use eight-ounce (8 oz) regulation gloves for men and ten-ounce (10 oz) regulation gloves for women. All fighters weighing more than 147 lbs must use ten-ounce (10 oz) regulation gloves for men and women.

(a) Professional contestants may have the option to compete in 4 oz MMA gloves, pending both contestants agree to this, and the Commission is informed ahead of the event.

(b) Amateur contestants may have the option to compete in 7 oz MMA gloves, pending both contestants agree to this, and the Commission is informed ahead of the event.

(9) The use of braces, supports, or additional padding or bandages other than the type prescribed by the rules are subject to approval only after inspection by the referee and Commission representative.

(10) All contestants must follow the Georgia Athletic and Entertainment Commission Dress Code for the Rules under which their bout is fought:

(a) Thai Boxing - Shorts, Gloves.

(b) International Kickboxing - Shorts, Compulsory Foot-Guards, Gloves.

(c) Full Contact Kickboxing - Long Trousers or Shorts, Compulsory Foot-Guards, Shin-Guards (optional), Gloves.

(11) The promoter and/or fighter will provide all amateur Muay Thai fighters with headgear, approved by the Commission, designed to less the impact of strikes directed to the head and reduce the likelihood of cuts. Three (3) or more verifiable amateur Muay Thai fights are required to compete without having to wear headgear. If three (3) amateur Muay Thai fights cannot be verified then both contestants must wear the headgear.

(a) Both the contestants must have three (3) or more verifiable amateur Muay Thai fights for the headgear not to be worn. If one (1) fighter does not have the required documented fights, then both contestants must wear headgear.

(12) Advanced Amateur fights do not require shin pads.

Cite as Ga. Comp. R. & Regs. R. 85-4-.07

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-50**.**

HISTORY: Original Rule entitled "Contestants' Equipment" adopted. F. May 24, 2011; eff. June 13, 2011.

Repealed: New Rule of same title adopted. F. Nov. 21, 2013; eff. Dec. 11, 2013.

Repealed: New Rule of same title adopted. F. May 21, 2015; eff. June 10, 2015.

Amended: F. May 20, 2024; eff. June 9, 2024.

Department 85. RULES OF GEORGIA ATHLETIC & ENTERTAINMENT COMMISSION

Chapter 85-5. BARE-KNUCKLE BOXING

85-5-.01 Definitions

(1) "**Applicant**" means any persons, corporations, organizations or associations required to be licensed before promoting, holding, organizing, participating in, or competing in a professional bare-knuckle boxing match.

(2) **"Federal Identification Card"** means an identification card issued by the Commission pursuant to O.C.G.A. 43-4B-12 or any such card issued by another boxing Commission as required by 15 USC 6305, et seq.

(3) **"Official"** unless otherwise indicated is an exclusive term collectively meaning "judges," "referees," and "timekeepers."

(4) **"Special Event"** means a bare-knuckle boxing card or bare-knuckle boxing show, which has among its contests a championship match, a pay-per-view or subscription television match, a national televised match, or any other match of significance to boxing in this state as designated by the Commission.

(5) "**Bare-Knuckle Boxing**" means combat between two individuals in which contestants score points in rounds of two or three minutes by striking with wrapped hands, but without padded fists, the head and upper torso of the opponent or by knocking the opponent down and rendering the opponent unconscious or incapable of continuing the contest by such blows, which contest is held in a ring supervised by a referee and scored by three judges.

(6) "**Georgia Athletic and Entertainment Commission**" means Commission.

Cite as Ga. Comp. R. & Regs. R. 85-5-.01

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Definitions" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.02 Licenses

(1) **General Provisions**.

(a) **Terms and Agreements**. Every license issued is subject to the terms, conditions, and agreements set forth in the application as well as those set forth in these rules and the statute governing professional boxing in Georgia.

(b) **Applications Forms**. Applications for annual license shall be submitted to the Commission on a form prescribed by the Commission.

(c) **Expiration Date**. Annual licenses are valid until December 31, of the year issued for boxing and bare-knuckle boxing and June 30 of the year issued for Mixed Martial Arts.

(d) **Verbal or physical abuse of official or Commission appointed supervisor**. Any licensee who verbally or physically abuses an official or the Commission appointed supervisor of a match shall be suspended indefinitely and his or her license may be revoked.

1. If a Commission member (Board Member, Director, and/or Staff Member) is in any way attacked, harassed, threated, or abused, etc. by any fighter, promoter, or any person acting on their behalf, those individuals will be subject to action by the Commission.

(2) **License Fees**:

(a) **Schedule of Fees**. Annual fees for participant licenses are as follow:

1. Promoter $150.00

2. Event Permit $50.00

3. Matchmaker $50.00

4. Manager $50.00

5. Bare-Knuckle Contestant $20.00

6. Second/Trainer $20.00

(b) Application Fees tendered to the Commission are not refundable.

(c) All fees shall be paid by purse deduction, certified check, cashiers check, or personal check.

(3) **Promoter's License**.

(a) Application for a promoter's license must be made in writing and received by the Commission no less than 30 days in advance of the proposed date for promoting any professional bare-knuckle boxing match in the state of Georgia.

(b) Each application for a promoter's license shall be accompanied with an appropriate security bond as provided for in these rules.

(4) **Match Permit**.

(a) Application for a match permit must be made in writing and received by the Commission no less than 30 days in advance of the proposed date for promoting any professional bare-knuckle boxing match in the state of Georgia.

(b) Each application for a promoter's license shall be accompanied with an appropriate security bond as provided for in these rules.

(c) As provided by statute [43-4B-20], the Commission will calculate an additional match permit fee which will then be assessed to the promoter. This additional fee will be calculated at five percent (5%) of the gross proceeds exclusive of any federal taxes.

1. The term gross proceeds means the total revenue received solely from the sale of tickets used or intended to be used by the audience physically attending any event required to be licensed under this chapter.

2. The gross proceed tax and regulatory fee must be accompanied by a form approved by the Georgia Athletic and Entertainment Commission that will calculate the tax.

3. Failure to pay the gross proceeds tax or regulatory fee above within thirty (30) days will result in a 20% late fee and may cause the commence liquidation action against the security bond(s) on file with the Commission.

(5) **Contestants**. Contestants applying to be licensed in Georgia shall meet the following requirements:

(a) General Physical Evidencing Good Physical Health. Physical is valid for one year.

(b) Ophthalmological Examination. The ophthalmological exam is valid for one year.

(c) Hepatitis and HIV Testing. Blood work is valid for 180 days.

(d) Age Restrictions. Contestants 38 years of age and older are subject to the following requirements for license:

1. Ophthalmological Examination: A detailed dilated ophthalmological examination, conducted by a state licensed ophthalmologist. The intent of this examination is to assure both the boxer and the Commission that no ophthalmological complications exist potentially hampering the boxer's ability to protect himself or herself in the ring, and to ensure that no ocular damage from previous bouts is evidenced. This exam must, at a minimum, include a careful dilated examination of the retinal periphery utilizing indirect ophthalmoscope.

2. Hepatitis and HIV Testing: All contestants in all bouts shall complete testing for Hepatitis B, Hepatitis C and HIV.

3. Neurological Examination: A detailed neurological examination, conducted by a state licensed neurologist. Whether auxiliary neuro-diagnostic tests, such as electroencephalography (EEG), computerized tomography (CT), or magnetic resonance imaging (MRI), are utilized is left to the discretion and the clinical opinion of the examining physician.

4. Cardiovascular Examination: A detailed cardiovascular examination to establish cardiovascular endurance. A poorly conditioned boxer is at increased risk of injury because of exhaustion, which may impede his or her ability to mount an active offense or defense. Whether auxiliary cardiovascular tests, such as an electrocardiogram (EKG), are utilized is left to the discretion and clinical opinion of the examining physician.

Cite as Ga. Comp. R. & Regs. R. 85-5-.02

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Licenses" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.03 Bonds

(1) **Promoter's License Surety Bond**.

(a) Before any promoter's license is issued authorizing the promotion of professional bare-knuckle boxing matches in the state of Georgia, the applicant shall make and deliver to the Commission a security bond executed by a surety corporation authorized to transact business in this state.

(b) Any and all bond applications shall be on a form provided by the Commission and shall be accompanied by an enforceable power of attorney. The Commission may also require certificate of "good standing" issued by the Commissioner of Insurance.

(c) The bond shall be in such amount as the Commission may determine based upon the payment of officials' fees, fees necessary to secure the proper medical supervision of any professional boxing show in the state of Georgia, and/or the estimated potential damages, penalties, taxes or expenses resulting from promotional activities contemplated in the state of Georgia.

(d) Whenever the Commission shall determine that a previously approved bond has for any cause become insufficient, the Commission may require an additional bond or bonds to be given, conforming with the requirements of these rules.

1. Unless the additional promoter's license bond or bonds are given within the time fixed by written demand therefor, or if the promoter's license bond of a licensee is canceled, the license of such person shall be immediately revoked by the operation of law without notice or hearing.

(2) **Match Permit Bond**.

(a) Before any match permit is issued authorizing the sale of tickets and the ancillary contracting necessary to promote a professional bare-knuckle boxing show in the state of Georgia, the applicant shall make and deliver to the Commission a security bond executed by a surety corporation authorized to transact business in this state. The purpose of the bond is to ensure that each Contestant competing in Georgia is paid their entire purse, and that full payment of other contractual liabilities is made.

(b) Any and all bond applications shall be on a form provided by the Commission and shall be accompanied by an enforceable power of attorney. The Commission may also require a certificate of "good standing" issued by the Commissioner of Insurance.

(c) The bond shall be in such amount as the Commission may determine based upon the estimated contractual liabilities against the licensed promoter for damages and expenses resulting from non-payment of contract liabilities, including but not limited to the total amount of each competing Contestant's purse or other services contracted for or from promotional activities conducted within the state of Georgia.

(d) Whenever the Commission shall determine that a previously approved bond has for any cause become insufficient, the Commission may require additional bond or bonds to be given, conforming with the requirements of these rules.

1. Unless the additional match permit bond or bonds are given within the time fixed by written demand therefor, or is the match permit bond of a licensee is canceled, the match permit of such person shall be immediately revoked by operation of law and without notice or hearing.

(3) **Complaints and Actions to Recover Damages**.

(a) Any person claiming that he or she has been damaged by a breach of the conditions of a bond given by a licensee as provided in these rules may enter a complaint with the Commission.

(b) Such complaint shall be a written statement of the facts constituting the complaint and should be made within 90 days of the alleged breach. If the Commission determines that the complaint is prima facie a breach of the bond and the matter cannot be amicably resolved within 15 days, the Commission shall endeavor to contact all known additional potential complainants regarding the breach of the bond.

1. Complaints may be registered and filed with the Commission after the ninety day period, but such late complaints shall state a reasonable and good cause for the delayed submission.

(c) Additional complaints must be filed within 30 days following the initial public notification of a breach of the bond.

(d) Upon the filing of such complaint in the manner provided in these rules, the Commission shall investigate the charges made and at its discretion order a hearing, giving the party complained of notice of the filing of such complaint and the time and place of such hearing. At the conclusion of the hearing, the Commission shall report its findings and render a conclusion upon the matter complained of to the complainant and respondent in the case, who shall have 15 days thereafter in which to make effective and satisfy the Commission's conclusions.

(e) If such settlement is not effected within such a time, the Commission or the complainant may bring an action to enforce the claim. If the complainant is not satisfied with the ruling of the Commission, he or she may commence and maintain an action against the principal and surety on the bond of both parties complained of as in any civil action.

(f) If the bond or collateral posted is insufficient to pay in full the valid claims of complainants, the Commission may direct that the proceeds of such bond(s) shall be divided pro rata among such complainants.

Cite as Ga. Comp. R. & Regs. R. 85-5-.03

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Bonds" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.04 Medical Requirements

(1) **Medical Examination**

(a) General Physical Evidencing Good Physical Health. Physical is valid for one year.

(b) Ophthalmological Examination. The ophthalmological exam is valid for one year.

(c) Hepatitis and HIV Testing is valid for 180 days.

(2) **Pre-fight Examination**.

(a) At the time of weigh-in, or at such other time as is then announced, all contestants must pass a thorough and complete pre-fight medical examination and have a Commission designated physician complete the pre-fight medical examination form prepared by the Commission.

1. Each female Contestant, during the pre-fight physical, will be required to pass a pregnancy test administered under the direction of the examining physician, or such physician's authorized assistant. The cost of such test, unless the Contestant's contract or bout agreement states otherwise, shall be the responsibility of the promoter. For purposes of this subparagraph the term "pass" shall mean that the Contestant is not pregnant.

(b) Whenever a Contestant's examination indicates that he or she is unfit for competition, because of any weakness or disability discovered by the physician, then an immediate report of such fact must be made to the promoter and to the Commission. In such case the Contestant shall be prohibited from participating in the match.

(c) Any Contestant who failed his or her pre-fight physical for medical reasons or for lack of general conditioning will be reported within two business days to the official registry.

(3) **Additional Medical Examinations**. The Commission may at any time require any Contestant to undergo such additional medical examinations performed by a state licensed physician as may be necessary to determine such Contestant's medical fitness to compete.

(4) **Medical Suspensions by Other Commission**. Medical suspensions by other Commissions recognized by the Association of Boxing Commissions and which are published by any boxing or mixed martial arts registry approved for such purposes by the Association of Boxing Commissions shall be recognized and honored by the Commission.

(5) **Drugs Prohibited**. The administration or use of any drugs, alcohol, stimulants, or injections in any part of the contestant's body either prior to or during a match is prohibited unless such drugs are administered by a physician and with the approval of the Commission. The Commission may order drug screens at any time and at the expense of the Contestant.

(6) **Time Between Bouts**. Except as specifically authorized by the Commission or Commission representative, no Contestant shall be permitted to engage in another contest or exhibition in any jurisdiction for a period of seven (7) days after competing in Georgia.

(7) **Knock-Out and Technical Knock-Out**.

(a) After the first knock-out, there shall be a minimum 60-day medical suspension. After the second knock-out, there shall be a minimum 120-day medical suspension.

1. The ringside physician may require additional testing following a knock-out, such as a CAT scan, EKG or other medical testing before such suspension is removed from the registry.

2. Any contestant losing by knock-out in two or more consecutive fights may be suspended for a period of 6 months.

(b) Unless otherwise ordered by the attending ringside physician, there shall be a minimum 30-day medical suspension after a technical knock-out.

1. Technical knock-outs caused by a severe cut may result in either a 45-day or 60-day medical suspension.

2. Technical knock-outs caused by a blow anywhere other than the head may, at the discretion of the attending ringside physician, result in a suspension of less than 30 days.

(8) **Under-Conditioned Fighter**. If the Commission, Executive Director, or Chief Official determines a fighter is under-conditioned, then based on lack of skills will be suspended for 180 days.

(9) **Consecutive Losses**.

(a) A contestant who has lost 6 consecutive fights by knock-out, technical knock-out, or any combination of either result, according to the contestant's official ring record compiled and maintained by the boxing registry, shall be suspended 365 days.

Cite as Ga. Comp. R. & Regs. R. 85-5-.04

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Medical Requirements" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.05 Conduct of Promotion

(1) **General Responsibilities and Provisions**. During the performance of any promotion, it shall be the promoter's responsibility to ensure the compliance with all laws and rules governing professional boxing, bare-knuckle boxing, and/or MMA in Georgia. Such responsibilities shall include, but will not be limited to the following:

(a) **Medical Insurance**. The promoter shall provide for the participants insurance covering ambulance services, medical, surgical and hospital care with a minimum limit of $20,000 for injuries sustained while participating in said program and for a $20,000 death benefit awarded to the estate of any Contestant should death occur from injuries received will participating in said contest.

(b) **Ambulance Service**. The promoter shall provide continuous ambulance service with a state-certified EMT attendant, who shall then provide a resuscitator, stretcher, backboard, oxygen, defibrillator, and such other medical equipment reasonably expected for an immediate trauma care, and who shall be present before the start of each contest and shall remain on site until the close of the program.

1. For the purposes of this section, a program of boxing, bare-knuckle boxing and MMA begins with the commencement of the first bout and ends when the last Contestant leaves the site of the program.

2. The chief ringside physician shall meet with the EMT prior to the beginning of the show. During such meeting the Commission physician will instruct the EMT concerning the show, placement of the stretcher and any other information necessary to ensure prompt and appropriate immediate care should such care be needed.

3. Such ambulance shall be able and available to immediately transport any severely injured Contestant to an appropriate medical facility.

4. If the ambulance or EMT is required to leave the site of the show for any reason, no boxing will be allowed to continue until another ambulance or replacement EMT returns to the site.

(c) **General Safety**. It shall be the promoter's responsibility to insure safety for the Contestants, officials and fans and to comply with all safety standards required by the Commission.

(d) **Arena Security**. Arena security is the responsibility of the promoter and such security measures provided by the promoter shall be sufficient to maintain order. At a minimum, 2 sworn off duty law enforcement officers shall be retained for security.

(e) **Obtain Ring**. The promoter will provide a ring for the show and that ring must pass the certification requirements established the Commission.

(f) **Ring Certification**. It is the promoter's responsibility to ensure that the ring for use during each show meets the Commission's rules and regulations concerning proper certification, this should be resolved no less than ten (10) days prior to the date of the show, and to maintain certification throughout and during the show.

(g) **Advanced Advertising**. In addition to the requirements in this Chapter, no contestant or celebrity shall be advertised by any promoter before said promoter has in his or her possession a written commitment from said contestant or celebrity and before said promoter has filed a copy of such written commitment with the Commission.

(h) **Main Event Start Time**. The final bout for all events sanctioned by the Georgia Athletic and Entertainment Commission shall start at the discretion of the Commission on the date for which the event permit is approved.

(2) **Ringside Physician**

(a) **Providing a physician**. It shall be the responsibility of the promoter to assign one or more physicians at ringside during the contest.

1. The physicians assigned must be on the roster of physicians authorized to conduct pre-fight physicals and serve as ringside physicians created by the Georgia Athletic and Entertainment Commission.

2. At least one ringside physician must have in his or her possession any medical supplies and equipment reasonably anticipated to provide first-aid medical assistance for the type of injuries reasonably anticipated to occur in professional boxing matches.

(3) **Arena**

(a) **Drinks**. No bare-knuckle boxing match will be allowed to commence or continue, without specific authorization from the Commission, in any arena where concessionaires dispense or serve beverages in containers other than plastic or paper cups.

(b) **Arena safety**. No bare-knuckle boxing match will be allowed to commence or continue in any arena which appears to the Commission appointed supervisor to be unsafe or where the Commission appointed supervisor has reason to believe that such building or location does not conform to any applicable laws, ordinances and regulations in the city or unincorporated county area.

(c) **Dressing rooms**. The only people allowed in the Contestant's dressing room are the Contestant, manager, seconds, Commission representatives including appointed Commissioners, approved physician(s), and promoters.

1. Promoters may be required by the Commission appointed supervisor to post a guard at the entrance to the dressing rooms to aid in enforcement of dressing room security.

2. If requested by the Commission, a separate dressing area should be provided for all referees and judges.

(4) **Show**

(a) **Marketing Prohibited Without Prior Commission Approval**. Commission approval or authorization must be obtained prior to selling tickets, making announcements, or distributing advertisements concerning any show, show date, contestants, or matches.

(b) **Rounds Scheduled**

1. Unless otherwise approved by the Commission, promoters shall schedule no less than twenty-four (24) rounds of bare-knuckle boxing on one (1) program. The rounds must be scheduled and approved by the Commission three (3) days prior to the event. An emergency bout must be provided in case any of the scheduled bouts are not held.

2. No bare-knuckle boxing match shall have any rounds lasting longer than three (3) minutes.

i. The maximum number of rounds for any given bare-knuckle boxing match is six (6) rounds, totaling eighteen (18) minutes.

ii. A one (1) minute rest period between rounds.

(c) **Card Approval**. Requests for preliminary approval of cards should be received by the Commission no less than ten days prior to the date of the contest. The Final card must be received by the Commission no less than three days prior to the date of the contest.

1. Substitutions can occur if the promoter is actively working to search for a replacement. The Executive Director and the Chairman or Vice Chairman of the Commission must approve the proposed bout.

2. No substitution will be allowed during the final seven hours prior to the beginning of the show.

(5) **Contracts**

(a) The amount of guarantee or percentage promised; the number and time limit of rounds; when and where the official weigh-in will be conducted; when and where the Contestants are scheduled to appear; weight; and all other reasonably expected to be an issue of agreement within professional bare-knuckle boxing contracts and agreements.

1. Weights expressed on bout agreements for all non-championship bouts shall allow no less than a +/-2 pounds variance of the contracted weight.

2. Weights expressed on bout agreements for all championship bouts shall be absolute and shall not allow for any variance.

(b) **Contract or Bout Agreement: File with Commission**. One copy of each signed written agreement or contract, once executed by both parties and within one week of the event, shall be filed with the Commission.

(c) **Violations: Grounds for Suspension**. Violation by either party of any written bout agreement or contract may be grounds for suspension of any license issued by the Commission and may in addition to such suspension result in a fine imposed by the Commission.

(6) **Failure to Perform**

(a) **Promoter Failure to Perform**. The failure of a promoter to perform according to the terms of the contract; to produce contestants or special added attractions as advertised; to pay the contestants their contractual guarantee, or percentage; or the failure of a promoter to live up to his or her agreement with his or her contestants or performers who did perform as scheduled is prohibited.

(b) **Contestant Failure to Perform**. The failure of a contestant under contract with a licensed promoter to perform according to the terms of said contract; or the failure of a contestant to live up to his or her agreement with an person to which the contestant is under contractual agreement is prohibited.

(c) **Violation: Penalties**.

1. Violation of either paragraph (a) or (b) within this subsection shall, for the first offense, be grounds for administrative suspension of not less than 90 days and a fine of not more than the contracted purse amount disclosed on the bout agreement or contract.

2. The second and/or any subsequent violation by any person of either paragraph (a) or paragraph (b) within this subsection may, in addition to any suspension by the Commission, subject the violator to a fine of not more than the contracted purse amount as disclosed on the bout agreement or contract plus not more than an additional $10,000. Said fine to be imposed by the Commission.

3. Any person or license holder violating on three or more occasions either sub-paragraph (a) or sub-paragraph (b) within this subsection shall have his or her license suspended indefinitely. Provided however that any action by the Commission to enforce or attempt to enforce the provisions of this sub-paragraph will be taken only after notice and hearing according to the "Georgia Administrative Procedure Act," Title 50, Chapter 13 of the Official Code of Georgia Annotated.

Cite as Ga. Comp. R. & Regs. R. 85-5-.05

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Conduct of Promotion" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.06 Ring and Equipment

(1) **The Ring**

(a) **Ring Size**. The ring may be a square, circle, or triangle and not less than 16 feet nor more than 20 feet on a side within the ropes. The ring platform (floor) must extend beyond the ropes at least 18 inches on all sides (apron).

(b) **Safety Padding**. The ring floor shall be padded with 1-inch-thick slow recovery foam matting, or other soft material approved by the Commission or its authorized representative and shall extend over the edge of the ring platform with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Padding material that tends to gather in lumps may not be used.

(c) **Ring Mat**. The mat and covering shall be always kept clean and free from disagreeable odors. The corners must be covered by a pad long enough to cover all the rope joints.

(d) **Ringside Table**. Each promoter shall be responsible for employing a safety plan to protect boxers who might fall outside of elevated rings. Except where deemed impractical, the floor of those sides not so protected shall be covered with protective matting.

(e) **Ring Post**. Ring posts shall be made of some strong material, preferably metal pipe, three inches in diameter, extending from the floor of the building to a height of at least 58 inches above the ring floor.

(f) **Ring Ropes**. Ring ropes shall be four (4) or five (5) in number, at least one inch in diameter, the lower rope 18 inches above the ring floor and the top rope 52 inches from the ring floor. The two (2) or three (3) remaining ropes will be evenly spread between the top and bottom ropes. All four (4) or five (5) ropes shall be wrapped in soft material.

(g) **Ring Equipment**. The promoter shall provide a sufficient number of water buckets for the use of all contestants. Each bucket shall be sterilized before being used. Additionally, the promoter shall provide, resin, stools, and such other articles as are required for the conduct of each bout.

(2) **Contestant Equipment**

(a) Hand Wraps. Hand wraps shall include the wrist and are restricted to twelve (12) yards of soft gauze bandage per hand and not more than two (2) inches in width, held in place by not more than ten (10) yards of surgical tape, no more than one (1) inch (25.4 mm) width. The surgical tape shall not be applied within one (1) inch of the knuckles.

1. No tape or gauze will extend past the fighter's knuckle when a clenched fist is made.

2. No tape or gauze is allowed between or on the fighter's fingers (with the exception of the thumb, as follows).

i. The thumb of a fighter may include a single wrap of tape when the wrist is being wrapped.

3. Wrapping of the wrist shall not extend more than three (3) inches past the wrist juncture.

(b) Ring Attire

1. Male contestants shall not wear any form of clothing on their upper body.

2. Male and female competitors shall wear the appropriate shorts, shoes (boxing or wrestling shoes), and mouthpiece.

3. Male competitors shall also wear the appropriate groin protection.

4. Female participants shall attire to prevent the showing of cleavage as much as possible and are approved to wear a short-sleeved (above the elbow) or sleeveless form-fitting rash guard and/or sports bra(s).

i. No loose-fitting tops and/or breast protectors shall be allowed.

5. Female competitors will follow the exact requirements for bottom covering as the male competitors, minus the requirement for groin protection.

Cite as Ga. Comp. R. & Regs. R. 85-5-.06

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Ring and Equipment" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.07 Officials

(1) **General Provisions**.

(a) Each official will be assigned or appointed by the Commission.

(b) A referee and three judges shall officiate all bare-knuckle boxing bouts. A majority vote of the judges will determine the outcome of the contest.

(c) No active manager, promoter, trainer, or Contestant shall be allowed to officiate at any contest.

(d) Any referee or judge assigned to a match who becomes unable to officiate shall notify the Commission assigned supervisor before 2:00 p.m. on the day of the contest.

(2) **Referees and Judges.**

(a) Referees

1. Referee Power: The Referee is the sole Arbiter of the assigned bout.

2. Referee Duties.

i. **Pre-show Instructions.** Referees shall meet with the contestants and with each chief second appointed by the contestants prior to the beginning of the show and during that meeting shall inform each party of the rules applicable to each fight as well as the in-ring conduct expected from each contestant and second assisting in the corner of each contestant.

ii. **Pre-Bout Confirmation of Officials and Physician.** Prior to calling for the sounding of the bell to begin each bout, the referee in the ring will confirm that the ringside physician as well as each judge assigned to the bout is in place at ringside.

iii. **Count: How to Proceed.** The referee's count is the official count. When a contestant is knocked down, the referee shall order the opponent to retire to the furthest corner of the ring, pointing to that corner. Once the opponent has so retired to the farthest neutral corner the referee will immediately pick up the timekeeper's count. The referee shall then audibly announce the passing of each second, accompanying the count upward with motions of his or her arm, indicating the count with visual finger counts at the end of each second. The referee may cease counting if the opponent fails to remain in the neutral corner until the count is complete. No contestant who is knocked down shall be allowed to resume until the referee has finished counting eight. The contestant may take the count either on the floor or standing.

iv. **Saved by the Bell.** A bare-knuckle boxer cannot be saved by the bell in any round including the final round of any bare-knuckle boxing contest.

v. **Contestant knocked out of the ring.**

(I) Any contestant knocked out of the ring shall receive a twenty (20) second count.

(II) During the time that any such contestant is outside the ring, he or she, shall not be assisted by any member of their corner and such assistance, if offered, shall end the match with that contestant losing by a technical knock-out.

(III) As a general precaution, to protect the safety of the contestant and to prevent any potential injury, a contestant knocked out of the ring may have his or her fall stopped or slowed by any person without penalty, provided that such assistance shall only be to prevent injury from the fall and not to assist the contestant in returning to the ring.

vi. **Standing Eight Count.** There shall be no standing eight count.

vii. **Knock-Out.** If the contestant fails to rise before the count of 10 the referee shall declare said contestant the loser by a knock-out.

viii. **Failure to Answer Bell.** A contestant shall not leave the ring during any one (1) minute rest period between rounds. If any contestant fails or refuses to resume bare-knuckle boxing when the bell sounds signaling the commencement of the next round, the referee shall award a decision of technical knock-out to his opponent as of the round which has last been finished.

(b) Judges

1. Three (3) judges are assigned to each bout.

2. Judges shall evaluate the bout based on effective striking, effective aggressiveness, and control of the fighting area.

3. 10 Point Must System.

(3) **Timekeepers**

(a) One (1) timekeeper shall be at each event.

(b) Announcement Responsibilities

1. The gong shall be sounded at the beginning and at the end of each round.

2. Timekeepers shall alert the referee by striking the table 10 seconds prior to the end of each round.

3. Timekeepers shall blow their whistle 10 seconds prior to the end of each one-minute rest period.

(c) **Emergency Suspension of Round: Responsibility to Announce.** If the referee is absent from the ring or temporarily incapacitated the timekeeper shall immediately sound the gong for temporary discontinuance of the contest.

(4) **Compensation**

(a) All payments of fees, including travel expense when required, shall be paid by the promoter conducting the show and shall be on the following basis:

1. 40 rounds or less of bare-knuckle boxing: Chief official is $300, Referee is $200, Judge is $150, Timekeeper is $150, and Inspector is $100.

2. 41 to 70 rounds of bare-knuckle boxing: Chief official is $350, Referee is $250, Judge is $200, Timekeeper is $200, and Inspector is $125.

3. 70+ rounds of bare-knuckle boxing: Chief official is $400, Referee is $300, Judge is $250, Timekeeper is $250, and Inspector is $150.

4. Televised rounds of bare-knuckle boxing: Chief official is $500, Referee is $500, Judge is $300, Timekeeper is $200, and Inspector is $150.

5. Pay-Per View events of bare-knuckle boxing: Fee's set by the Commission.

6. Events with over 40 rounds may have additional officials brought in to work the event.

(b) The Commission may raise or lower the pay schedule by $50 increments based on inflation or deflation as determined by the Consumer Price Index published by the United States Department of Labor.

(c) Travel expenses for officials required to travel over a distance set by the Commission appointed supervisor, provided that such amount shall not exceed the usual and customary amount allowed by state guidelines for state employees. Hotel rooms may be required at the discretion of the Commission.

(5) **Fouls.** In general, a referee has wide discretion in how to punish an offending bare-knuckle boxer who fouls his or her opponent. If the referee determines that a foul is unintentional, he or she may simply caution the offending bare-knuckle boxer to be attentive to rules concerning fouls. If the foul is determined to be intentional, the referee may issue a warning to the offending bare-knuckle boxer or may deduct one or more points from the offending bare-knuckle boxer. **The referee may also disqualify any bare-knuckle boxer who intentionally fouls his or her opponent.**

(a) Fouls, whether intentional or unintentional, are defined as follows:

1. Hitting the opponent below the belt.

2. Hitting an opponent who is down or is getting up after being down.

3. Deliberately maintaining a clinch without other action.

4. Wrestling or kicking the opponent.

5. Putting a finger into any orifice of the opponent or into any cut or laceration on an opponent, including fish hooking.

6. Pulling the opponent's hair.

7. Manipulating the opponent's fingers.

8. Striking an opponent who is helpless as the result of blows but is supported by the ropes and does not fall.

9. Butting the opponent with the head, shoulder, knee, or elbow.

10. Hitting the opponent with the elbow or forearm.

11. Striking the opponent's body over the kidneys.

12. Hitting the opponent on the back of the head or neck.

13. Gouging the opponent's eye in any manner.

14. Hitting during a break, which is signaled by the Referee's command or physical act to separate the fighters.

15. Hitting the opponent after the bell has sounded, ending the round.

16. Using the ropes or cage to gain an advantage over the opponent.

17. Pushing the opponent around the fighting area or into the ropes/cage.

18. Timidity, excessive clenching, including intentionally spitting out the mouthpiece, running from an opponent, or other similar behavior.

19. Biting the opponent.

20. Headlocks.

21. Throat punches or strikes directly toward the throat of an opponent.

22. Fingers outstretched toward an opponent's face or eyes.

23. No throws or takedowns.

24. Engaging in any other action not described in this subsection that is deemed an intentional foul by the Referee on the basis that the action poses a danger to the safety of either fighter, impedes fair and competitive play, or is unsportsmanlike.

25. Spinning back fists.

26. Hammer-fists.

(b) **Intentional Foul.** At the referee's discretion, any foul defined in subparagraph (a) may be called "intentional."

1. Upon the first occurrence of such intentional foul and during the same round as such intentional foul occurs, the referee may, at his or her discretion and without previous warning, disqualify the offending boxer or deduct one (1) point from the offending boxer.

2. Upon the second occurrence of such intentional foul, the referee may, at his or her discretion and without previous warning disqualify the offending boxer or deduct two (2) points from the offending boxer.

3. If an intentional foul causes an injury and the injury is severe enough to terminate the bout immediately, the boxer causing the injury shall lose by disqualification.

(c) **Unintentional Foul.** Except as provided below, no point will be deducted from the score or other disciplinary action taken against either boxer for an unintentional foul unless a previous warning has been given to the offending boxer. For the purposes of this subparagraph, unintentional fouls are actions as described by sub-paragraph (a) above, which in the judgment of the referee were not intentionally caused.

1. If an unintentional foul causes an injury severe enough for the referee to stop the bout immediately, the bout result will be announced in accordance with the Uniform Championship Rules in effect at the time of the bout.

a. Currently the Uniform Championship Rules state that a bout stopped before four completed rounds will be reported as a "No Contest."

2. If an unintentional foul causes an injury severe enough for the referee to stop the bout after four (4) rounds have been completed, the bout will result in a Technical Decision (TW), awarded to the boxer who is ahead on the score cards at the time the bout is stopped.

a. Partial or incomplete rounds will be scored. If no action has occurred, the round shall be scored as an even round.

(6) **Low Blows: Intentional or Unintentional.**

(a) **Recuperation Time.** Any contestant struck by a low blow may, at the discretion and after consultation with the ring physician, be given up to five (5) minutes to recuperate.

1. During such recuperation the injured boxer may sit on a stool inside the ring, or in a neutral corner, but may not rest in his assigned corner.

2. Only the referee is allowed to assist the injured boxer during the five minute rest period.

3. The uninjured fighter, during any such rest period, may not be assisted and shall remain in the neutral corner furthest from the boxer.

Cite as Ga. Comp. R. & Regs. R. 85-5-.07

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7, 43-4B-11**,** 43-4B-12**,** 43-4B-13, 43-4B-14, 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Officials" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.08 Conduct of Bout

(1) **Bare-Knuckle Boxers**.

(a) **Federal Identification Card**. All bare-knuckle boxers must have a valid national Federal Identification Card issued by their home state per the Association of Boxing Commissions.

(b) **Prohibition if Under Suspension**. No bare-knuckle boxer shall enter any agreement or contract with a promoter, compete, or attempt to compete in any match in Georgia when such bare-knuckle boxer knows that his or her combat sports license issued by this Commission or by any other boxing Commission is under suspension.

(c) **Pregnancy**. No bare-knuckle boxer shall enter any agreement or contract with a promoter, compete, or attempt to compete in any match in Georgia when such boxer knows that she is pregnant.

(d) **Weigh-In**.

1. Preliminary Weigh-In. All fighters must video record a Preliminary Weigh-in one week prior to the Official Weigh-in. That video must be reported to the promoter.

i. The promoter should save these recordings for 1 year.

ii. Fighters are required to be within 10% of their scheduled weight.

iii. Should either or both of the contestants weigh more than 10% above their scheduled weight, the promoter may increase the weight class limit, with the consent of both parties.

2. Official Weigh-In. In all contests or exhibitions, contestants shall weigh-in at a previously agreed upon time and in the presence of an authorized Commission representative, provided however that such weigh-in shall not take place less than six hours nor more than 36 hours prior to the contest or exhibition.

i. All official weigh-ins, unless otherwise agreed to in advance by the Commission, shall be conducted outside the view of the general public.

ii. Ceremonial weigh-ins may be conducted in such manner and at such place as agreed to by all parties involved in the promotion or match.

iii. The weigh-in will last for 2 hours after the agreed upon time.

iv. Contestants who have not arrived in the first hour will be placed on the clock and their hour to cut weight will start. When the contestant arrives, and weighs-in, the contestant will only have the remaining time of the 2-hour weigh-in window to cut any weight if they missed their agreed upon weight.

3. Missing Weight

i. Any fighter who does not make weight at an Official Weigh-In may be fined and may further be subject to denial of Commission approval to fight at the failed weight class during his/her next bout.

ii. Any fighter who twice does not make weight at an Official Weigh-In may be fined and may further be subject to denial of Commission approval to fight at the failed weight class during his/her next two bouts.

(e) **Weight Classes**.

1. Strawweight: 100-107 lbs.

2. Flyweight: 108-115 lbs.

3. Bantamweight: 116-125 lbs.

4. Featherweight: 126-135 lbs.

5. Lightweight: 136-145 lbs.

6. Welterweight: 146-155 lbs.

7. Middleweight: 156-165 lbs.

8. Super Middleweight: 166-175 lbs.

9. Light Heavyweight: 176-185 lbs.

10. Middle Heavyweight: 186-205 lbs.

11. Cruiserweight: 206-225 lbs.

12. Heavyweight: 226-265 lbs.

13. Super Heavyweight: 266 lbs. and up

(f) **Weight Spread**. No bare-knuckle boxing contest or exhibition may be scheduled if the difference in weight between the boxers exceeds the following allowance.

1. Up to 118 lbs.-not more than 3 pounds

2. 118 lbs. to 126 lbs.-not more than 5 pounds

3. 126 lbs.-135 lbs.-not more than 6 pounds

4. 135 lbs.-147 lbs.-not more than 7 pounds

5. 147 lbs.-200 lbs.-not more than 9 pounds

6. 200 lbs. and over (Heavyweight)-no limit

(g) **Contestants: Entering Ring**. All contestants must be ready to enter the ring immediately upon the conclusion of the preceding bout.

(h) **Contestants: Demeanor During the Round**. Each contestant shall take care to avoid fouling their opponent or illegally striking their opponent.

(i) **Penalty for Disqualification**. Any bare-knuckle boxer who is disqualified for any reason by the referee or the Commission representative supervising the show and is therefore unable to fulfill the terms of their contract will forfeit their entire purse and will be subject to a fine not to exceed fifty percent (50%) of the contracted amount of the purse.

1. Any bare-knuckle boxer who has forfeited their purse because of a loss by disqualification has a right to appeal during either the next two scheduled Commission meetings, and must so notify the Commission in writing within fifteen days of the disqualification of their intent to appeal. Failure to notify the Commission within the fifteen-day period of the intention to appeal the forfeiture will be tantamount to a waiver of any further appeal rights.

(2) **Seconds**.

(a) **Number Allowed**. Each bare-knuckle boxer may have up to three seconds, except if the Commission permits otherwise. Each contestant shall have one chief second and each chief must have a complete first aid kit.

(b) **Leaving the Ring:** Seconds shall leave the ring enclosure at the sound of the timekeeper's whistle. They shall leave the ring platform promptly when the gong sounds for the beginning of each round and immediately remove all obstructions, including stools, buckets, and any other corner equipment. None of these articles shall be replaced on the ring floor until the gong has sounded the end of a round.

(c) **Assisting Contestant During Bout: Prohibited**. During the progress of the rounds, seconds shall not throw water on the contestant or in any way assist or interfere the contestant.

(d) **Throwing Towel: Prohibited**. Seconds are forbidden from tossing a towel into the ring in token defeat of their boxer.

(e) **Ejection and Disqualification**. Violations of the provisions of this subparagraph may be followed by ejection of the offender from the ring corner and may result in the disqualification of their contestant by the referee.

(3) **Between Round Care**. Between round care of a boxer will be strictly enforced by the Commission.

(a) **Second: Only One Allowed in Ring**. Only one person will be allowed in the ring with the bare-knuckle boxer during the rest period between rounds and no more than two people, exclusive to the Commission inspector and approved media personnel, will be allowed on the apron during that time.

(b) **Corner Kit: Substances Allowed**. The use of an unapproved preparation during the match is prohibited. The only substances and materials allowed in the corner are:

1. Ice

2. Water

3. Cotton Swabs

4. Gauze Pads

5. Clean Towels

6. Vaseline or surgical lubricants

7. Enswell

8. Avitene or adrenaline

(c) **Corner Kit: Substances Prohibited**. Substances such as Monsell's solution, other iron or bismuth compounds, collodion, silver nitrate, ammonia or smelling salts will not be used and the use of such modalities will result in disqualification, suspension or fine of the boxer, manager and/or trainer.

(d) **Excessive Lubricant**. The use of excessive lubricant on the body, arms or face of a boxer will not be tolerated.

(e) **Re-hydration of Contestant During Bout**. Only water will be permitted to ease dehydration of a boxer between rounds. Honey, electrolyte glucose, sugar or any other substance mixed with water is prohibited.

(4) **After the Bout**.

(a) **Contestants to Leave Ring**. When the decision of the referee or judges has been announced both contestants and their seconds shall at once leave the ring and retire to their dressing rooms.

(b) **Decision: How to Change**. A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the Commission appointed secretary determines that any one of the following occurred:

1. There was collusion or fraud affecting the result of any contest, or,

2. The compilation of the score cards of the referee and judges reveals a clerical or mathematical error which caused the decision to be given to the wrong bare-knuckle boxer.

3. There was a violation of the laws or rules and regulations governing professional bare-knuckle boxing in Georgia which affected the results of any contest.

4. The Commission supervisor may in his or her discretion change a referee's decision if in his or her judgement a palpable and self-evident error has been committed.

(c) **Decision: How to Appeal Commission Supervisor's Ruling**.

1. A petition to change a bout decision or the ruling of the Commission appointed supervisor shall be in writing and filed by a bare-knuckle boxer or the bare-knuckle boxer's manager within five (5) business days from the date the decision was rendered.

2. If a petition to change a bout decision or the ruling of the Commission appointed supervisor is not filed in writing within five (5) business days of the decision, the Commissioner may, upon the vote of no less than a majority of the Commissioners present, hold a hearing to change the decision at any time.

3. If the Commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the Commission may direct, and shall notify the national registry within two (2) business days of the change.

4. The Commission's findings of fact and rile in such matters shall be final and may not be appealed.

Cite as Ga. Comp. R. & Regs. R. 85-5-.08

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Conduct of Bout" adopted. F. May 20, 2024; eff. June 9, 2024.

85-5-.09 Championship Bouts

(1) **Functions of Commission.**

(a) The Commission shall have and exercise sole discretion, management, control, and supervision over all professional bare-knuckle boxing matches in the state of Georgia.

(b) The Commission shall enforce such rules and regulations as shall be necessary or proper for the holding of professional bare-knuckle boxing matches in the state of Georgia.

(c) It is within the Commission's power and authority to prescribe and enforce penalties for any violations of these rules or the statute governing the regulation of professional bare-knuckle boxing in the state of Georgia, subject to judicial review.

(2) **Investigations, Hearings, and Subpoena Power.**

(a) The Commission or any agent designated by it may make investigations and the Commission may hold hearings and issue subpoenas to compel the attendance of witnesses.

(b) The Commission may order the production of books, papers or records for any hearing.

(c) When a hearing takes place, the Commission may administer oaths to and examine any witness for the purpose of examining the question for which the hearing has been called.

(d) Unless otherwise controlled by law or these rules, if the Commission finds a violation of its rules or the statute governing the regulation of professional bare-knuckle boxing in this state has occurred, the Commission may

impose a disciplinary fine of not less than $500.00 nor more than $25,000.00 for the first offense and not less than $750.00 nor more than $75,000.00 for any subsequent offense. In addition to any fine, the Commission may suspend or revoke any license.

(e) Within thirty days after the imposition of a fine and/or suspension or revocation by the Commission, a licensee is entitled to judicial review, pursuant to O.C.G.A. § 50-13-19.

Cite as Ga. Comp. R. & Regs. R. 85-5-.09

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-4B-4**,** 43-4B-7**,** 43-4B-11**,** 43-4B-12**,** 43-4B-13**,** 43-4B-14**,** 43-4B-18.1**,** 43-4B-19**,** 43-4B-20**.**

HISTORY: Original Rule entitled "Championship Bouts" adopted. F. May 20, 2024; eff. June 9, 2024.

Department 157. RULES OF GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS

Chapter 157-2. LICENSURE REQUIREMENTS

157-2-.03 Volunteers in Dietetics

(1) The Board shall issue a volunteer license to dietitians who:

(a) Submit an application for a special volunteer license to the Board; or

(b) Hold a current, unrestricted license in good standing to practice dietetics in any licensing jurisdiction of the United States; or if the applicant is retired from the practice of dietetics and not currently engaged in such practice either full time or part time and has, prior to retirement, maintained full, unrestricted licensure in good standing in any licensing jurisdiction of the United States.

(2) The volunteer licensee shall be permitted to practice dietetics only in the noncompensated employ of public agencies or institutions, not for profit agencies, not for profit institutions, nonprofit corporations, or not for profit associations which provide health care specialty services only to indigent patients in areas which are underserved by that specialty or critical need population areas of the state, as determined by the Board, or pursuant to Article 8 of Chapter 8 of Title 31.

(3) The person applying for the volunteer license under this Code section shall submit to the Board a copy of his or her health care specialty degree, a copy of his or her health care specialty license in his or her current or previous licensing and regulating jurisdiction, and a notarized statement from the employing agency, institution, corporation, association, or health care program on a form prescribed by that board, whereby he or she agrees unequivocally not to receive compensation for any health care specialty services he or she may render while in possession of the special license.

(4) Any applicant for a volunteer license who has not been actively engaged in the direct observation and treatment of patients within the five (5) years immediately preceding the date of application may, at the Board's discretion, be required to pass an examination administered by the Board or a testing agency designated and approved by the Board.

(5) If the Board determines that an applicant has demonstrated an inability to practice dietetics with reasonable skill and safety to the public, and reasonable grounds exist to inquire into an applicant's mental and physical capacity, the applicant may be asked to submit a statement from a physician attesting to the applicant's physical and mental capacity.

(6) If the applicant is not in compliance with the continuing education requirements established by the Board at the time application is made for the volunteer license, the applicant shall be issued a nonrenewable temporary license to practice for six months provided the applicant is otherwise qualified for such license. During the period of time the licensee maintains such license, the licensee must comply with the continuing education requirements established by the Board.

(7) There shall be no application or licensing fee for initial issuance of a volunteer license.

(8) Volunteer licenses shall expire at the close of March 31st in all even-numbered years. Fees for license renewal shall be assessed as shown on the schedule of fees adopted by the Board.

(9) Any other provisions of Chapter 30, Title 43 of the Official Code of Georgia Annotated not inconsistent with the intent and purpose of the Georgia Volunteers in Health Care Specialties Act, O.C.G.A. 43-1-28, shall be fully applicable to all licensed dietitians.

Cite as Ga. Comp. R. & Regs. R. 157-2-.03

AUTHORITY: O.C.G.A. §§ 43-1-4**,** 43-1-7**,** 43-1-19**,** 43-1-25**,** 43-1-28**,** 43-11A-7**,** 43-11A-15**.**

HISTORY: Original Rule entitled "Renewal of License" adopted. F. Dec. 12, 1985; eff. Jan. 1, 1986.

Amended: F. Apr. 9, 1986; eff. Apr. 29, 1986.

Repealed: New Rule entitled "Examination and Re-examination" adopted. F. Apr. 7, 1988; eff. Apr. 27, 1988.

Amended: F. June 2, 1993; eff. June 22, 1993.

Repealed: New Rule of same title adopted. F. Apr. 1, 2002; eff. Apr. 21, 2002.

Repealed: F. Aug. 28, 2017; eff. Sept. 17, 2017.

Adopted: New Rule entitled "Volunteers in Dietetics." F. May 20, 2024; eff. June 9, 2024.

Department 180. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Chapter 180-11. CONTINUING PROFESSIONAL COMPETENCY

180-11-.03 Requirements

(1) Professional Engineers. Every professional engineer is required to obtain fifteen (15) PDH's each twelve (12) month (Annual) renewal period. If a professional engineer exceeds the requirements in any annual renewal period, a maximum of seven and one half (7.5) PDH's may be carried forward into the subsequent renewal period.

(2) Land Surveyors. Every land surveyor is required to obtain seven and one half (7.5) PDH's each twelve (12) month annual renewal period. In addition, every land surveyor must ensure that, once every two (2) years, at least three (3) PDH's in "Minimum Technical Standards" be included in their PDH's acquired. The "Minimum Technical Standards" material shall include a review of all board rules and applicable state laws pertaining to the practice of land surveying specific to the state of Georgia. If a land surveyor exceeds the requirements in any annual period, a maximum of three and three quarters (3.75) PDH's may be carried forward into the subsequent renewal period.

(3) Dual Registrants. The person with a dual license is required to obtain fifteen (15) PDH's each twelve (12) month (Annual) renewal period. If a dual registrant exceeds the requirement in any annual renewal period, a maximum of seven and one half (7.5) PDH's may be carried forward into the subsequent renewal period. At least one-third (1/3) of the PDH's in a renewal period must be obtained in engineering, and one-third (1/3) in surveying. The remaining units may be in either field, at the discretion of the registrant.

(4) PDH's may be earned as follows:

(a) Successful completion of college courses.

(b) Successful completion of continuing education courses.

(c) Successful completion of correspondence, televised, videotaped, audiotaped, and other short courses/tutorials taken for the purpose of maintaining, improving, or expanding the skills and knowledge relevant to the land surveyor's or professional engineer's practice.

(d) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences which are relevant to the land surveyor's or professional engineer's practice.

(e) Teaching or instructing in any area relevant to the land surveyor's or professional engineer's practice.

(f) Authoring published papers, articles, or books in any area relevant to the land surveyor's or professional engineer's practice.

(g) Active participation in professional or technical societies. (For professional engineers only).

(h) Receiving patents in any area relevant to the land surveyor's or professional engineer's practice.

Cite as Ga. Comp. R. & Regs. R. 180-11-.03

AUTHORITY: O.C.G.A. §§ 43-15-4**,** 43-15-6**.**

HISTORY: Original Rule entitled "Exemptions-How to Obtain" was filed and effective on June 30, 1965.

Amended: Rule repealed. Filed July 31, 1975; effective August 20, 1975.

Amended: New Rule entitled "Requirements" adopted. F. Jul. 8, 1996; eff. July 28, 1996.

Repealed: New Rule of same title adopted. F. Nov. 22, 2006; eff. Dec. 12, 2006.

Amended: F. Oct. 9, 2020; eff. Oct. 29, 2020.

Amended: F. May 20, 2024; eff. June 9, 2024.

Department 375. RULES OF DEPARTMENT OF DRIVER SERVICES

Chapter 375-5. DRIVER TRAINING AND DRIVER IMPROVEMENT

Subject 375-5-2. DRIVER TRAINING SCHOOLS

375-5-2-.20 Qualifications of Driver Training Instructors

(1) Every driver training school instructor shall be a person of good moral character, and at least 21 years of age.

(2) Every driver training school instructor applicant, at time of application, shall possess a valid driver's license. Said license must be the same class of license for the driver training class being taught.

(a) No driver training school instructor applicant will be approved if his or her driver's license has been suspended within one year prior to making application for a conviction or combination of convictions directly related to the operation of a motor vehicle.

(b) No driver training school instructor applicant will be approved if his or her driver's license has been suspended two or more times within five years prior to making application for a conviction or combination of convictions directly related to the operation of a motor vehicle.

(c) No person with a conviction of a felony or any other crime involving violence or a crime of moral turpitude, or a pattern of misdemeanors that evidences a disregard for the law, will be licensed unless he or she has received a pardon and can produce evidence of same. For the purposes of this chapter, a plea of nolo contendere shall be considered to be a conviction. For the purposes of this chapter, a conviction for which a person has been free from custody and free from supervision for at least 10 years will not be considered, unless the conviction is for an offense which is a dangerous sexual offense as defined in O.C.G.A. § 42-1-12 or the criminal offense was committed against a victim who was a minor at the time of the offense.

(3) Every application for an instructor's certification must be accompanied by a laboratory report for drug screening prescribed by the department and administered within 30 days prior to application submission.

(4) Every applicant must:

(a) Present to the Department an official transcript from a college or university which indicates that the applicant has earned such college credits in driver education and safety; or

(b) Successfully complete a written examination administered by the Department, which will test the applicant's knowledge in the field of driver education and his or her ability to impart driving skills and safety to students.

(c) Every instructor application shall be accompanied by one 2 X 2 inch photograph of the applicant; the photograph shall be taken within 30 days of the date of filing the application. The photograph must show a full view of the face, neck, shoulders and uncovered head.

(5) The driver training instructor examination will be administered on the 2nd and 4th Thursday of each month at the Department headquarters unless specifically notified of change in schedule in advance.

(6) Application for an examination must be accompanied by a fee of $25.00 by money order, certified or cashier's check payable to the Department. The fee is non-refundable.

(7) Applicants must pass this examination in three attempts or within three months of date of application, whichever comes first, or the application will be rejected.

(8) Every application for an instructor's license must be accompanied by a fee of $5.00, by money order, certified or cashier's check payable to the Department. Such fee shall be non-refundable if the application is denied.

(9) Every application for a renewal of an instructor's license shall be made on a form prescribed by the Department and must be filed with the Department not more than 60 days nor less than 10 days preceding the expiration date of the license. A fee of $5.00 must accompany the application by money order, certified or cashier's check payable to the Department. Such fee shall be non-refundable if the application for renewal is denied.

(10) The instructor's license will expire four years from date of issuance unless otherwise canceled, suspended, or revoked by the Department.

(11) Any person whose instructor license has not been renewed within a one-year period shall re-qualify for a new instructor's license pursuant to these rules.

Cite as Ga. Comp. R. & Regs. R. 375-5-2-.20

AUTHORITY: O.C.G.A. §§ 40-5-4**,** 40-16-2**,** 40-16-5**,** 43-13-5**,** 43-13-6**,** 43-13-8**.**

HISTORY: Original Rule entitled "Qualifications of Instructors" adopted. F. Oct. 25, 2004; eff. Nov. 14, 2004.

Amended: F. Sept. 11, 2006; eff. Oct. 1, 2006.

Amended: F. Sept. 3, 2009; eff. Sept. 23, 2009.

Amended: New title, "Qualifications of Driver Training Instructors." F. Oct. 18, 2019; eff. Nov. 7, 2019.

Amended: F. May 16, 2024; eff. June 5, 2024.

Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

Chapter 391-3. ENVIRONMENTAL PROTECTION

Subject 391-3-1. AIR QUALITY CONTROL

391-3-1-.03 [Effective 6/11/2024] Permits. Amended

(1) **Construction (SIP) Permit.**

(a) **Any person** prior to beginning the construction or modification of any facility which may result in air pollution shall obtain a permit for the construction or modification of such facility from the Director.

(b) **The application** for a construction permit shall be made on forms supplied by the Director, and shall be signed by the applicant. Said application shall be filed with the Director well in advance of any critical date involved in the construction or modification of such facility, so that adequate time will be available for review, discussion, and revision where necessary. Said application shall include and/or be accompanied by all pertinent information as the Director may require for a full evaluation of the proposed construction or modification of the facility, such as: process flow diagrams; plot plans; description of control devices; description of the proposed new or modified operation; type of operation; raw materials and chemicals to be used, the finished products; type, quantity and peak output of fuels to be used; the amount of combustible waste that will be generated and the method of disposing of same; characteristics and amounts of emissions into the atmosphere; engineering reports; plans and specifications; time schedules and reports of progress; records; and related information.

(c) **The permit** for the construction or modification of any facility shall be issued upon a determination by the Director that the facility can reasonably be expected to comply with all the provisions of the Act and the rules and regulations promulgated thereunder.

(2) **Operating (SIP) Permit.**

(a) **Any person** operating a facility or performing an activity which is not exempted under 391-3-1-.03(6) from which air contaminants are or may be emitted shall obtain an Operating (SIP) Permit from the Director.

(b) **Application** for an operating permit must be made within thirty (30) days after commencement of normal operations. Said application for an operating permit shall be accompanied by such plans, specifications, and other information deemed necessary by the Director to make full evaluation of the performance of the facility. If any of the necessary information cannot be provided within the required time, the application shall include a schedule, subject to the approval of the Director, for submission of all such information as soon as practicable.

(c) **An operating permit** will be issued upon evidence satisfactory to the Director of compliance with the provisions of the Act and the rules and regulations promulgated thereunder. Said permit shall specify the conditions under which the facility shall be operated in order to comply with the Act and rules and regulations. As a condition for the issuance of an operating permit, the Director may require the applicant to conduct performance tests and monitoring and provide reports concerning operations, to demonstrate compliance with the Act and the rules and regulations. Such tests and monitoring shall be conducted, and such required reports submitted, in accordance with methods and procedures approved by the Director.

(d) **The Director** may grant a temporary operating permit for such period of time and under such conditions as he shall specify in the permit, in order to allow the applicant a reasonable period of time in which to correct deficiencies in any existing facility. The temporary operating permit shall specify a schedule for bringing the existing facility into compliance with the Act and rules and regulations in the shortest practical time period.

(e) **The requirements** of this section (2) shall not apply to any emissions unit as defined in 40 CFR 70.2 which has been issued a part 70 permit under the requirements of section (10), unless there is a modification to such unit.

(f) **Any person** operating a facility or performing an activity from which air contaminants are or may be emitted, may be required to obtain a Permit by Rule, a Generic Permit or a Part 70 Permit from the Director in addition to an Operating (SIP) Permit.

(g) **Under penalty** of law, the holder of any Air Quality Permit must adhere to the terms, limitations, and conditions of that permit and subsequent revisions of that permit.

(h) **The limitations**, controls, and requirements in federally enforceable operating permits are permanent, quantifiable, and otherwise enforceable as a practical matter.

(i) **Prior to the issuance** of any federally enforceable operating permit, EPA and the public will be notified and given a chance for comment on the draft permit.

(3) **Revocation, Suspension, Modification or Amendment of Permits.**

(a) **Any permit** issued by the Director shall be subject to periodic review and the Director may revoke, suspend, modify or amend any permit issued, for cause, including but not limited to, the following:

1. Violation of any condition of said permit, or failure to comply with a final order of the Director;

2. Failure to comply with any applicable rules or regulations in effect pursuant to this Chapter;

3. Obtaining a permit by misrepresentation, or failure to disclose fully all relevant facts, or failure to inform the Division of modifications affecting emissions;

4. Modifications which affect emissions. In the event of modification, amendment, suspension or revocation of a permit, the Director shall serve written notice of such action on the permit holder and shall set forth in such notice the reason for the action.

5. The Director may amend any permit to establish an emission limitation based on existing equipment design and reasonable operation and maintenance practices. Such limitation shall not allow emissions greater than those allowed by other provisions and emission limits specified elsewhere in the Rules, Chapter 391-3-1.

(4) **Permits Not Transferable.**

A permit is not transferable from one person to another nor from one facility to another facility.

(5) **Permits Public Records.**

Except as to information required to be kept confidential by O.C.G.A. Section 12-9-19, as amended all applications for construction permits and operating permits shall be public record.

(6) **Exemptions.**

Unless otherwise required by the Director, SIP permits shall not be required for the following source activities. These exemptions may not be used to avoid any emission limitations or standards of the Rules for Air Quality Control Chapter 391-3-1-.02, lower the potential to emit below "major source" thresholds or to avoid any "applicable requirement" (i.e., NSPS, NESHAP, etc.) as defined in 40 CFR Part 70.2.

(a) **Mobile Sources.**

Mobile sources, such as automobiles, trucks, buses, locomotives, airplanes, boats and ships, whether or not designated as subject to mandatory inspection, maintenance, or emission requirements pursuant O.C.G.A. Section 12-9-40, et seq., as amended, the Georgia Motor Vehicle Emission Inspection and Maintenance Act. This exemption relates only to the requirement for a permit issued under the Act, not to any other requirement under the Act, and in no way affects any requirement for a permit, license, or a certificate under any other law. This limited exemption from the permit requirements of the Act shall in no way affect the applicability of any other requirement related to mobile sources, or any other requirement or limitation which may affect mobile sources.

(b) **Combustion Equipment.**

1. Fuel-burning equipment having a total heat input capacity of less than 10 MMBtu/hr 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 burning a wood or fossil fuel.

3. Any fuel-burning equipment with a rated input capacity of 2.5 MMBtu/hr 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, firing types 0, 1, 2 and/or 3 waste; or

(ii) less than 8 MMBtu/hr input 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 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, 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.

(c) **Storage Tanks.**

1. All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored.

2. All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored.

3. All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.

4. Pressurized vessels designed to operate in excess of 30 psig storing a petroleum fuel.

5. Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities.

6. Portable drums and barrels provided that the volume of each container does not exceed 550 gal.

7. All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury.

(d) **Agricultural Operations.**

1. Farm equipment used for soil preparation, livestock handling, crop tending and harvesting and for other farm related activities.

2. Herbicide and pesticide mixing and application activities for on site use.

(e) **Maintenance, Cleaning & Housekeeping.**

1. Heating, air conditioning and ventilation systems not designed to remove air contaminants generated by or released from process or fuel-burning equipment.

2. Routine housekeeping activities such as painting buildings, roofing or paving parking lots, all clerical activities and all janitorial activities.

3. Maintenance activities such as: vehicle repair shops, brazing, soldering and welding equipment, carpenter shops, electrical charging stations, grinding and polishing operations maintenance shop vents, miscellaneous non-production surface cleaning, preparation and painting operations.

4. Miscellaneous activities such as: aerosol spray cans; air compressors; cafeteria vents; copying, photographic and blueprint machines; decommissioned equipment; dumpsters; fire training activities; fork lifts; railroad flares; refrigerators; space heaters.

5. Cold storage refrigeration equipment.

6. Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.

7. Equipment used for portable steam cleaning.

8. Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system or collector serving them exclusively.

9. Portable blast-cleaning equipment.

10. Laundry dryers, extractors, or tumblers for fabric cleaned with only water solutions of bleach or detergents.

11. Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.

12. Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.

13. Steam sterilizers.

14. Portable equipment used for the on site painting of buildings, towers, bridges and roads.

15. Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.

16. Equipment used for the washing or drying of fabricated products provided that no VOCs are used in the process and that no oil or solid fuels are burned.

17. Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners.

18. Fresh water cooling towers provided that the total potential emissions from the entire source remain below 10 tons per year of any single hazardous air pollutant and below 25 tons per year of any combination of hazardous air pollutants.

(f) **Laboratories and Testing.**

1. Laboratory equipment used exclusively for chemical or physical analyses;

2. Sampling connections used exclusively to withdraw materials for testing and analysis, including air contaminant detectors and vent lines;

3. Vacuum producing devices;

4. Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are below all of the following thresholds:

(i) Less than 125 pounds per day of carbon monoxide;

(ii) Less than 0.8 pounds per day of lead;

(iii) Less than 50 pounds per day of particulate matter, PM_{10}, or sulfur dioxide;

(iv) Less than 50 pounds per day of nitrogen oxides or VOCs except in the Counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where less than 15 pounds per day of nitrogen oxides; or VOCs; and

(v) Less than 5 pounds per day of any single hazardous air pollutant and less than 12.5 pounds per day of any combination of hazardous air pollutants.

(g) **Pollution Control.**

1. Sanitary wastewater collection and treatment systems, except incineration equipment, that are not subject to any standard, limitation or other requirement under section 111 or section 112 (excluding section 112(r)) of the federal Clean Air Act.

2. On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

3. Bioremediation operations.

4. Garbage compactors and garbage handling equipment.

5. Municipal Solid Waste Landfills which meet the following criteria:

(i) The total design capacity of the landfill is less than or equal to 2.756 million tons (2.5 million megagrams) or 3.27 million cubic yards (2.5 million cubic meters) of solid waste; and

(ii) The emissions of VOC are less than 25 tons per year for landfills located within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties; and

(iii) The emissions of nitrogen oxides (NOx) from operations other than the final control device are less than 25 tons per year for landfills located within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties.

(h) **Industrial Operations.**

1. Concrete block, brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year of product.

2. Small aluminum scrap metal reclaimers (non-smelters).

3. Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate (#2) fuel oil at a maximum total heat input rate of not more than 10 MMBtu/hr.

(i) Furnaces for heat treating glass or metals, the use of which does not involve molten materials, oil-coated parts, or oil quenching.

(ii) Porcelain enameling furnaces or porcelain enameling drying ovens.

(iii) Kilns for firing ceramic ware.

(iv) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.

(v) Bakery ovens and confection cookers.

(vi) Feed mill or grain mill ovens.

(vii) Surface coating drying ovens.

4. Grain, metal, or mineral extrusion process.

5. Equipment used exclusively for rolling, forging, pressing, stamping, spinning, or extruding either hot or cold metals or plastic such as drop hammers or hydraulic presses for forging or metalworking.

6. Die casting machines.

7. Equipment used exclusively for sintering of glass or metals, but not exempting equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds.

8. Equipment for the mining and screening of uncrushed native sand and gravel.

9. Ozonization process or process equipment.

10. Electrostatic powder coating booths with an appropriately designed and operated particulate control system.

11. Equipment used for the application of a hot melt adhesive.

12. Equipment used exclusively for mixing and blending water-based adhesives and coating at ambient temperatures.

13. Equipment used for compression, molding and injection of plastics.

14. Wood products operations in the following SIC categories (combustion equipment and coatings operations are not included in this exemption):

(i) 2426 Dimensional Hardwood Lumber Mills,

(ii) 2431 Lumber Millwork,

(iii) 2434 Wood Kitchen Cabinets,

(iv) 2439 Structural Wood Trusses,

(v) 2441 Wood Boxes,

(vi) 2448 Wood Pallets,

(vii) 2449 Wood Containers, and

(viii) 2499 Miscellaneous Wood Products.

15. Industrial process equipment used exclusively for educational purposes at educational institutions.

(i) **Other.**

1. Facilities where the combined emissions from all non-exempt source activities [i.e., not listed in 391-3-1-.03(6)(a)-(h)] are below the following for all pollutants:

(i) 50 tons per year of carbon monoxide;

(ii) 300 pounds per year of lead total; with a 3.0 pound per day maximum emission;

(iii) 20 tons per year of particulate matter, PM_{10}, or sulfur dioxide;

(iv) 20 tons per year of nitrogen oxides or VOCs except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where less than 5 tons per year of nitrogen oxides or VOCs is exempted; and

(v) 2 tons per year total with a 15 pound per day maximum emission of any single hazardous air pollutant and less than 5 tons per year of any combination of hazardous air pollutants.

2. Facilities where the combined emissions from all source activities are below the thresholds in "1" above for one or more pollutants, are not required to list those pollutants in the permit application.

3. Cumulative modifications not covered in an existing permit to an existing permitted facility where the combined emission increases (excluding any contemporaneous emission decreases, i.e., "netting" is not allowed) from all nonexempt modified activities are below the following thresholds for all pollutants:

(i) 25 tons per year of carbon monoxide;

(ii) 150 pounds-per-year total with a 1.5 pound-per-day maximum emission of lead;

(iii) 10 tons per year of particulate matter, PM_{10} or sulfur dioxide;

(iv) 10 tons per year of nitrogen oxides or VOCs except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where less than 2.5 tons per year of nitrogen oxides or VOCs is exempted; and

(v) 2 tons per year total with a 15 pound per day maximum emission of any single hazardous air pollutant and less than 5 tons per year of any combination of hazardous air pollutants.

4. As an alternative to subparagraph 3, cumulative modifications not covered in an existing permit to an existing permitted facility where the combined emissions increases, including any contemporaneous emission decreases (i.e., "netting is allowed") from all nonexempt modified activities are less than 10 tons per year of particulate matter and PM_{10}. For the purpose of this subparagraph, "contemporaneous" means within that period beginning on the date of issuance of the most recent permit through the date of reissuance of such permit. This shall exclude any amendment to such permit unless such amendment incorporates the previously exempted modification(s) in which case the amendment shall be considered a reissuance of such permit for the purpose of this subparagraph. Facilities using this exemption shall maintain records of all emissions increases and decreases and shall notify the Division, in writing, within 7 days after making any modification covered by this subparagraph. The Division may require the use of a Division approved form for tracking the emissions increases and decreases. If a facility elects to use this

subparagraph in lieu of subparagraph 3, it shall not use subparagraph 3 with respect to particulate matter and PM_{10} until such time that all modifications exempted from SIP permitting under subparagraph 4 have been incorporated into the permit. A facility may use subparagraph 3 with respect to any pollutant other than particulate matter and PM_{10} while using this subparagraph. Only the following facilities are eligible for this exemption:

(i) Facilities with an SIC code of 1422 or 1423 that are not a major source subject to the provisions of 391-3-1-.03(10) (i.e., a minor or synthetic minor source).

5. Changes in a process or process equipment which do not involve installing, constructing, or reconstructing an emission unit or the primary air cleaning device of an air pollution control system provided that such changes do not result in the increase of emissions from any emission unit or the emissions of a pollutant not previously emitted. Examples of such changes in a process or process equipment include the following:

(i) Change in the supplier or formulation of similar raw materials, fuels, or paints and other coatings;

(ii) Changes in product formulations;

(iii) Change in the sequence of the process;

(iv) Change in the method of raw material addition;

(v) Change in the method of product packaging;

(vi) Change in process operating parameters;

(vii) Replacement of a fuel burner in a boiler with a more efficient burner; or

(viii) Lengthening a paint drying oven to provide additional curing time.

6. Sources of minor significance as specified by the Director.

7. Sources for which there is no applicable emission limit, standard or other emission requirement established under, by, or pursuant to the Act.

(j) **Construction Permit Exemption for Pollution Control Projects.**

Projects listed in subparagraphs 391-3-1-.01(qqqq)1. and 2. of these rules are exempt from the requirement to obtain a construction (SIP) permit as specified in paragraph 391-3-1-.03(1) of this rule provided that the project is not subject to the provisions of paragraph 391-3-1-.02(7), Prevention of Significant Deterioration of Air Quality. The Director has the authority to rebut the presumption that projects listed in subparagraphs (qqqq)1. and 2. are environmentally beneficial in accordance with the criteria specified in subparagraph (qqqq) and thus exempt from the requirement to obtain a construction (SIP) permit. Owners and operators of projects exempt from the requirement to obtain a construction (SIP) permit under this subparagraph (6)(j) shall obtain an operating permit or amendment under either paragraph 391-3-1-.03(2) or 391-3-1-.03(10) of this rule, whichever is applicable, prior to commencement of operation of the project.

(7) **Combined Permits and Applications.**

The Director may combine the requirements of and the permits for construction and operation (temporary or otherwise) into one permit. He may likewise combine the requirements of and applications for construction and operating permits into one application.

(8) **Permit Requirements.**

(a) **Each application** for a permit to construct a new stationary source or modify an existing stationary source shall be subjected to a preconstruction or premodification review by the Director. The Director shall determine prior to

issuing any permit that the proposed construction or modification will not cause or contribute to a failure to maintain any ambient air quality standard, a significant deterioration of air quality, or a violation of any applicable emission limitation or standard of performance or other requirement under the Act or this Chapter (391-3-1). Each person applying to the Director for a permit to construct a new stationary source or modify an existing stationary source shall provide information required by the Director to make such determination.

(b) **In addition** to any other requirement under the Act, or this Chapter (391-3-1), no permit to construct a new stationary source or modify an existing stationary source shall be issued unless such proposed source meets all the requirements for review and for obtaining a permit prescribed in Title I, Part C of the Federal Act, and paragraph 391-3-1-.02(7) of these Rules.

(c) **In addition** to any other requirement under the Act, or this Chapter 391-3-1, no permit to construct a new stationary source or modify an existing stationary source shall be issued unless such proposed source or modification meets all the requirements for review and for obtaining a permit prescribed in subparagraph 391-3-1-.02(9)(b)16. of this Rule.

(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.

Calendar Year	$/Ton Rate	Fee Manual
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	"Procedures for Calculating Air Permit Application & Annual Permit

Calendar Year	$/Ton Rate	Fee Manual
	other sources	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.

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 section, 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 Chapter to take into the account the financial resources of small businesses stationary sources.

(f) **The collection** of fees pursuant to this 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 section 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.

(10) **Title V Operating Permits.**

(a) **General Requirements.**

1. The provisions of this paragraph (10) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 70.

2. All sources subject to this paragraph (10) shall have a Part 70 Permit to operate that assures compliance by the source with all applicable requirements. Such Part 70 Permits will be issued consistent with the timing established in subparagraph (10)(c).

3. The requirements of this paragraph (10), including provisions regarding schedules for submission and approval or disapproval of permit applications, shall apply to the permitting of affected sources under the federal acid rain program except as provided herein or modified in federal regulations promulgated under Title IV of the federal Clean Air Act.

4. Definitions: For the purpose of this paragraph (10), 40 CFR Part 70.2 is hereby incorporated and adopted by reference, with the following exception(s):

(i) "Potential to emit" shall have the meaning ascribed in subparagraph (ddd) of rule 391-3-1-.01.

(ii) [Reserved.]

(iii) The definition and use of the term "subject to regulation" in 40 CFR, Part 70.2 is hereby incorporated by reference; provided, however, that in the event all or any portion of 40 CFR, Part 70.2 containing that term is:

(I) declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit or for the District of Columbia Circuit; or

(II) withdrawn, repealed, revoked, or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

Such action shall render the regulation as incorporated herein, or that portion thereof that may be affected by such action as invalid, void, stayed, or otherwise without force and effect for purposes of this rule upon the date such action becomes final and effective; provided, further, that such declaration, adjudication, stay, or other action described herein, shall not affect the remaining portions, if any, of the regulation as incorporated herein, which shall remain of full force and effect as if such portion so declared or adjudged invalid or unconstitutional or stayed or otherwise invalidated or effected were not originally a part of this rule. The Board declares that it would have incorporated the remaining parts of the federal regulation if it had known that such portion hereof would be declared or adjudged invalid or unconstitutional or stayed or otherwise rendered of no force and effect.

5. The subparagraphs of paragraph (10) that incorporate by reference portions of 40 CFR, Part 70 are as promulgated and published in the Federal Register through October 18, 2016, unless otherwise specified.

(b) **Applicability.**

1. The following sources shall be subject to this paragraph (10):

(i) Any major source as defined in 40 CFR Part 70.2, which is incorporated by reference in subparagraph (a)4;

(ii) Any source, including an area source, subject to a standard, limitation, or other requirement under Section 111 of the federal Act;

(iii) Any source, including an area source, subject to a standard or other requirement under Section 112 of the federal Act, except that a source is not required to obtain a permit solely because it is subject to regulations or requirements under Section 112(r) of the federal Act;

(iv) Any affected source as defined in 40 CFR Part 70.2, which is incorporated by reference in subparagraph (a)4; and

(v) Any source in a source category designated by the EPA Administrator pursuant to 40 CFR Part 70.3.

2. The following sources shall not be subject to this paragraph (10):

(i) Any source listed in subparagraph 10(b)1.(ii) that is not a major source;

(ii) Any source required to obtain a permit solely because they are subject to 40 CFR Part 61, Subpart M, National Emission Standard for Hazardous Air Pollutants for Asbestos, 61.145, Standard for Demolition and Renovation, or solely because they are subject to 40 CFR Part 60, Subpart AAA Standards of Performance for New Residential Wood Heaters; and

(iii) Any source listed in subparagraph (10)(b)1.(iii) that is an area source except those subject to an Emission Standard for Hazardous Air Pollutants under 40 CFR Part 63 that does not exempt the owner or operator from the obligation to obtain a Part 70 permit.

3. Emission units and Part 70 permits.

(i) For major sources, Part 70 permits shall include all applicable requirements for all relevant emission units in the major source.

(ii) For any non-major source subject to the requirements of this paragraph (10), Part 70 permits shall include all applicable requirements applicable to emission units that cause the source to be subject to this paragraph (10).

4. Fugitive emissions from a source subject to the requirements of this paragraph (10) shall be included in the permit application and the Part 70 permit in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source.

5. Any Part 70 source may make Section 502(b)(10) changes as defined in 40 CFR 70.2, which is incorporated by reference in subparagraph (a)4, without requiring a Part 70 permit revision, if the changes are not modifications under any provisions of Title I of the federal Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions). For each such change, the source shall provide the Director and the EPA Administrator with written notification as required below in advance of the proposed changes and shall obtain any permits required under Rules 391-3-1-.03(1) and (2). The source and the Director shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the source's written notification and application for a construction permit shall be submitted well in advance of any critical date (construction date, permit issuance date, etc.) involved in the change, but no less than seven days in advance of such change and shall include a brief description of the change within the permitted facility, the date on which the change is proposed to occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in subparagraph (d)6. shall not apply to any change made pursuant to this paragraph.

6. Off-permit Changes: Any Part 70 source may make changes that are not addressed or prohibited by the permit, other than those described in subparagraph 7., without a Part 70 permit revision, provided the following requirements are met:

(i) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.

(ii) Sources must provide contemporaneous written notice to the Director and EPA Administrator of each such change, except for changes that qualify as insignificant as specified in subparagraph (g). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

(iii) The change shall not qualify for the shield under subparagraph (10)(d)6.

(iv) The permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

(v) The source shall obtain any permits required under Rules 391-3-1-.03(1) and (2).

7. No Part 70 source may make, without a permit revision, any changes that are not addressed or prohibited by the Part 70 permit, if such changes are subject to any requirements under Title IV of the federal Act or are modifications under any provision of Title I of the federal Act.

(c) **Permit Applications.**

1. For each Part 70 source, the owner or operator shall submit a complete application:

(i) Within 12 months after the U.S. EPA grants approval of this paragraph (10) or on or before such earlier date as the Director may establish, for a source applying for the first time;

(ii) Within 12 months after commencing operation, for a source required to meet the requirements under Section 112(g) of the federal Clean Air Act or to have a permit under the preconstruction review program requirements of Rule 391-3-1-.03(8)(b). Where an existing Part 70 permit would prohibit such construction or change in operation, the source must obtain a permit revision before commencing operation;

(iii) At least six months, but not more than 18 months prior to the date of permit expiration, for a source subject to permit renewal; or

(iv) By January 1, 1996, for initial Phase II sulfur dioxide acid rain permits and by January 1,1998, for initial Phase II nitrogen oxide acid rain permits.

(v) within 12 months after commencing operation for a major source which commences operation after the date specified in subparagraph (10)(c)1.(i).

2. Standard Permit Application and Required Information. The application shall be made in a format specified by the Director. It shall be signed by a responsible official, as defined in 40 CFR 70.2, which is incorporated by reference in subparagraph (a)4, certifying its truthfulness, accuracy and completeness. For the purpose of this paragraph (10), 40 CFR 70.5(c) and 40 CFR 70.5(d) are hereby incorporated and adopted by reference. The application may require additional pertinent information which is not specified in 40 CFR 70.5(c), as incorporated by reference in this subparagraph, as the Director may require. To be deemed complete, an application must provide all information required pursuant to this subparagraph and subparagraph (g), except that applications for permit revision need supply such information only if it is related to the proposed change.

3. Unless the Director determines that an application, including renewal applications, is not complete within 60 days of receipt of the application, such application shall be deemed to be complete, except as otherwise provided in 40 CFR 70.7(a)(4) which is hereby incorporated by reference.

4. If, while processing an application that has been determined or deemed to be complete, the Director determines that additional information is necessary to evaluate or take final action on that application the Director may request such information in writing and set a reasonable deadline for a response. The source's ability to operate without a Part 70 permit shall be in effect from the date the application is determined or deemed to be complete until the final permit is issued, provided that the applicant submits any requested additional information by the deadline specified by the Director.

5. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

(d) **Permit Content.**

1. Standard Permit Requirements.

(i) For the purposes of this paragraph (10), 40 CFR Part 70.6(a) and 40 CFR 70.7(f) are hereby incorporated and adopted by reference.

(ii) The permit may include terms and conditions allowing for the trading of emissions changes in the permitted facility solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit independent of otherwise applicable requirements. The permit applicant shall include in its application proposed replicable procedures and permit terms that ensure that the emissions trades are quantifiable and enforceable. The Director shall not be required to include in the emissions trading provisions any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades. The following conditions apply to the emissions trades:

(I) The permittee shall provide written notification to the Director and EPA no less than seven days in advance of any change made pursuant to this subparagraph. The written notification shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.

(II) The permit shield described in subparagraph (d)6. may extend to the permit terms and conditions that allow for the emissions increases and decreases described in this subparagraph.

(iii) The permit may include additional elements not specified in 40 CFR Part 70.6(a), which is incorporated by reference in subparagraph (d)1.(i), as required by the Director.

2. The Director shall specifically designate as not being federally enforceable under the federal Clean Air Act any terms and conditions included in the permit that are not required under the federal Clean Air Act or under any of its applicable requirements. If the Director does not so designate a term or condition, it shall be deemed federally enforceable.

3. Compliance Requirements. For the purposes of this paragraph (10), 40 CFR 70.6(c) is hereby incorporated and adopted by reference.

4. General Permits: For the purpose of this paragraph (10), 40 CFR 70.6(d) is hereby incorporated and adopted by reference.

5. The Director may issue a single permit authorizing emissions from similar operations by the same source owner or operator at multiple temporary locations. The operation must be temporary and involve at least one chance of location during the term of the permit. No affected source shall be permitted as a temporary source. Permits for temporary sources shall include:

(i) Conditions that will assure compliance with all applicable requirements at all authorized locations;

(ii) Requirements that the owner or operator notify the Director at least 30 days in advance of each change in location; and

(iii) Conditions that assure compliance with all of the provisions of this paragraph.

6. Permit Shield.

(i) Except as provided in this paragraph (10), the Director may expressly include in a Part 70 permit a provision stating that a source which is in compliance with the conditions of the permit shall be deemed to be in compliance with any applicable requirements as of the date of the permit issuance, provided that:

(I) Such applicable requirements are included and are specifically identified in the permit; or

(II) The Director, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

(ii) A Part 70 permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.

(iii) Nothing in this paragraph or in any Part 70 permit shall alter or affect the following:

(I) The provisions of Section 303 of the federal Clean Air Act (emergency orders), including the authority of the Administrator under that section or the provisions of O.C.G.A. Section 12-9-14;

(II) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or

(III) The applicable requirements of the acid rain program, consistent with Section 408(a) of the federal Clean Air Act; or

(IV) The ability of EPA to obtain information from a source pursuant to Section 114 of the federal Clean Air Act or of the Director to obtain information from a source pursuant to paragraph 391-3-1-.02(6).

7. Emergency Provision: For the purpose of subparagraph (d)7., 40 CFR Part 70.6(g) is hereby incorporated and adopted by reference.

(e) **Permit Issuance, Renewal, Reopenings and Revisions.**

1. Action on application.

(i) A permit, permit modification, or renewal may be issued only if all of the following conditions have been met:

(I) The Director has received a complete application, except that a complete application need not be received before issuance of a general permit under subparagraph (d);

(II) Except for modifications qualifying for minor permit modification procedures under subparagraphs (e)5.(i) or (e)5.(ii), the Director has complied with the requirements for public participation under subparagraph (e)8.;

(III) The Director has complied with the requirements for notifying and responding to affected States under subparagraph (f);

(IV) The conditions of the permit provide for compliance with all applicable requirements; and

(V) The EPA Administrator has received a copy of the proposed permit and any notices required under subparagraph (f) and has not objected to issuance of the permit under subparagraph (f) within the time period specified therein.

(ii) Except as provided under the initial transition plan or under regulations promulgated under Title IV of the federal Clean Air Act, the Director shall take final action on each permit application (including request for permit modification or renewal) within 18 months after receiving a complete application.

(iii) The Director shall provide a statement that sets forth the legal and factual basis for the draft permit conditions (including references to the applicable statutory or regulatory provisions). The Director shall send this statement to EPA and to any other person who requests it.

(iv) The submittal of a complete application shall not affect the requirement that any source have a preconstruction permit under paragraph 391-3-1-.03(8).

2. Requirement for a permit.

Except as provided in subparagraphs (b)5., (e)5.(i)(V) and (e)5.(ii)(V), no Part 70 source may operate after the time that it is required to submit a timely and complete application, except in compliance with a permit issued under this paragraph (10). If a Part 70 source submits a timely and complete application for permit issuance (including for renewal), the source's failure to have a Part 70 permit is not a violation until the Director takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Director any additional information identified as being needed to process the application.

3. Permit renewal and expiration.

(i) Permits being renewed are subject to the same procedural requirements, including those for public participation, affected State and EPA review, that apply to initial permit issuance.

(ii) Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.

(iii) If a timely and complete application for permit renewal is submitted, but the Director has failed to issue or deny the renewal permit before the end of the term of the previous permit, then the permit shall not expire until the renewal permit has been issued or denied and any permit shield that may be granted pursuant to subparagraph (d)6. shall extend beyond the original permit term until renewal.

4. Administrative permit amendments.

(i) Definitions: For the purpose of this paragraph, 40 CFR, Part 70.7(d)(1) is incorporated and adopted by reference.

(ii) Administrative permit amendments for purposes of the acid rain portion of the permit shall be governed by regulations promulgated under Title IV of the federal Clean Air Act.

(iii) An administrative permit amendment may be made by the Director consistent with the following:

(I) The Director shall take no more than 60 days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected States provided that it designates any such permit revisions as having been made pursuant to this subparagraph.

(II) The Director shall submit a copy of the revised permit to the EPA Administrator.

(III) The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.

(iv) The Director may, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield for administrative permit amendments made pursuant to 40 CFR Part 70.7(d)(1)(v), which is incorporated by reference in subparagraph (e)4.(i) of this rule, which meet the requirements for significant permit modifications.

5. Permit modification.

A permit modification is any revision to a Part 70 permit that cannot be accomplished under subparagraph 4. A permit modification for purposes of the acid rain program shall be governed by regulations promulgated under Title IV of the federal Clean Air Act.

(i) Minor permit modification procedures.

(I) Minor permit modification procedures may be used only for those permit modifications that:

I. Do not violate any applicable requirement;

II. Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

III. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

IV. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject, including a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of 391-3-1-.03(8), and an alternative emissions limit approved pursuant to regulations promulgated under Section 112(j)(5) of the federal Clean Air Act;

V. Are not modifications under any provision of 391-3-1-.03(8); and

VI. Are not required by this paragraph (10) to be processed as a significant modification.

(II) An application requesting the use of minor permit modification procedures shall meet the requirements of paragraph (8) and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

II. The source's suggested draft permit;

III. Certification by a responsible official, consistent with subparagraph (c), that the proposed modification meets the criteria for use of minor modification procedures and a request that such procedures be used; and

IV. Completed forms for the Director to use to notify the EPA Administrator and affected States as required under subparagraph (f).

(III) Within five working days of receipt of a complete minor permit modification application, the Director shall meet his obligation under subparagraph (f)(1) and subparagraph (f)(2)(i) to notify the EPA Administrator and affected States of the requested permit modification. The Director shall promptly send any notice required under subparagraph (f)(2)(ii) to the EPA Administrator.

(IV) The Director may not issue a final permit modification until after EPA's 45-day review period or until EPA has notified the Director that EPA will not object to issuance of the permit modification, whichever is first, although the Director can approve the permit modification prior to that time. Within 90 days of the Director's receipt of an application under minor permit modification procedures or 15 days after the end of the EPA Administrator's 45-day review period under subparagraph (f)(3), whichever is later, the Director shall:

I. Issue the permit modification as proposed;

II. Deny the permit modification application;

III. Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures; or

IV. Revise the draft permit modification and transmit to the EPA Administrator the new proposed permit modification as required by subparagraph (f).

(V) The source may make changes proposed in its minor permit modification application as follows:

I. For proposed changes that require a permit in accordance with 391-3-1-.03(1), the source may make the change proposed in its minor permit modification application immediately after obtaining a permit for the modification

pursuant to the requirements of 391-3-1-.03(1). After the source makes such change and until the Director takes any of the actions specified in subparagraph (IV), the source must comply with the applicable requirements governing the change, the proposed permit terms and conditions, and requirements of the construction permit issued under 391-3-1-.03(1). During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions and the requirements of the construction permit issued under 391-3-1-.03(1) during this time period, the existing permit terms and conditions it seeks to modify and the requirements of the construction permit issued under 391-3-1-.03(1) may be enforced against it.

II. For proposed changes that do not require a permit in accordance with 391-3-1-.03(1), the source may make the change proposed in its minor permit modification application upon receipt of a letter from the Division acknowledging receipt of said application. If the Director denies the permit modification application in accordance with subparagraph (IV)II, the existing terms and conditions that the applicant seeks to modify may be enforced by the Division.

(VI) The permit shield may not extend to minor permit modifications.

(ii) Group processing of minor permit modifications. The Director may modify the procedure outlined in subparagraph (e)5.(i) to process groups of a source's applications for certain modifications eligible for minor permit modification processing.

(I) Group processing of modifications may be used only for those permit modifications:

I. That meet the criteria for minor permit modification procedures under subparagraph (e)5.(i); and

II. That collectively are below 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in subparagraph (a)4., or 5 tons per year, whichever is least.

(II) An application requesting the use of group processing procedures shall meet the requirements of subparagraph (c)2. and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.

II. The source's suggested draft permit.

III. Certification by a responsible official that the proposed modification meets the criteria for use of group processing procedures under a request that such procedures be used.

IV. A list of the source's other pending applications awaiting group processing, and determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold set under subparagraph (e)5.(ii)(I)II.

V. Certification that the source has notified EPA of the proposed modification. Such notification need only contain a brief description of the proposed modification.

VI. Completed forms for the Director to use to notify the EPA Administrator and affected States as required under subparagraph (f).

(III) On a quarterly basis or within five business days of receipt of an application demonstrating that the aggregate of a source's pending applications equals or exceeds the threshold level set in subparagraph (e)5.(ii)(I)II., whichever is earlier, the Director promptly shall comply with subparagraphs (f)(1) and (f)(2). The Director shall send any notice required under subparagraph (f)(2)(ii) to the EPA Administrator.

(IV) The provisions of subparagraph (e)5.(i)(IV) shall apply to modifications eligible for group processing, except that the Director shall take one of the actions specified in subparagraphs (e)5.(i)(IV)I. through IV. within 180 days of receipt of the application or 15 days after the end of the EPA Administrator's 45-day review period under subparagraph (f)(3), whichever is later.

(V) The provisions of subparagraph 5.(i)(V) shall apply to modifications eligible for group processing.

(VI) The provisions of subparagraph 5.(i)(VI) shall also apply to modifications eligible for group processing.

(iii) Significant modification procedures.

(I) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. At a minimum, every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude the permittee from making changes consistent with this paragraph (10) that would render existing permit compliance terms and conditions irrelevant.

(II) Significant permit modifications shall meet all requirements of this paragraph (10), including those for applications, public participation, review by affected States, and review by EPA, as they apply to permit issuance and permit renewal.

6. Reopening for cause.

(i) A permit shall be reopened and revised under any of the following circumstances:

(I) Additional applicable requirements become applicable to a major Part 70 source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended under subparagraph (e)3.(iii).

(II) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(III) The Director determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(IV) The Director determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(ii) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists.

(i) Reopenings shall not be initiated before a notice of such intent is provided to the source by the Director at least 30 days in advance of the date that the permit is to be reopened, except that the Director may provide a shorter time period in the case of an emergency.

7. Reopenings for cause by EPA.

(i) If the EPA Administrator finds that cause exists to terminate, modify or revoke and reissue a permit pursuant to subparagraph 6. and notifies the Director of such finding in writing, the Director shall, within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the EPA Administrator finds that a new or revised permit application is necessary or

that the Director must require the permittee to submit additional information and extends this 90 day period, the Director shall forward the subject determination within 180 days of receipt of EPA's notification.

(ii) Within 90 days from receipt of an EPA objection, the Director shall resolve such objection and terminate, modify, or revoke and reissue the permit in accordance with EPA's objection.

8. Public participation.

40 CFR Part 70.7(h) is hereby incorporated and adopted by reference.

(f) **Permit review by EPA and affected states.**

1. The Director shall provide the EPA Administrator a copy of each permit application (including any application for permit modification), each proposed permit, and each final Part 70 permit. The Director may require the applicant to provide a copy of the permit application (including the compliance plan) directly to the EPA Administrator. Upon approval by the EPA Administrator, the Director may submit to the EPA Administrator a permit application summary form and any relevant portion of the permit application and compliance plan, in place of the complete permit application and compliance plan.

2. Review by affected States.

(i) The Director shall give notice of each draft permit to any affected State on or before the time that the Director provides this notice to the public under subparagraph (e)8., except to the extent that subparagraphs (e)5.(i) or (e)5.(ii) require the timing of the notice to be different.

(ii) The Director, as part of the submittal of the proposed permit to the EPA Administrator [or as soon as possible after the submittal for minor permit procedures allowed under subparagraphs (e)5.(i) or (e)5.(ii)], shall notify the EPA Administrator and any affected State in writing of any refusal by the Director to accept all recommendations for the proposed permit that the affected State submitted during the public or affected State comment period. The notice shall include the Director's reasons for not accepting any such recommendation. The Director is not required to accept recommendations that are not based on applicable requirements or the requirements of this paragraph (10).

3. EPA objection.

(i) No permit for which an application must be transmitted to the EPA Administrator under subparagraph (f)1. shall be issued if the EPA Administrator objects to its issuance in writing within a timely manner pursuant to 40 CFR 70.8(c) and 40 CFR 70.8(d) which are hereby incorporated by reference.

(g) **Insignificant Activities List.**

Unless otherwise required by the Director, the following air pollutant sources/activities must be listed, but need not be described in detail, in the Part 70 permit application. Exclusion of these emissions from detailed reporting does not exclude them from inclusion in any applicability determination. Additionally, this insignificant listing may not be used to avoid any applicable requirement (i.e., NESHAP, NSPS, etc.) as defined in 40 CFR Part 70.2, which is incorporated by reference in subparagraph (a)4.

1. Mobile Sources.

(i) Cleaning and sweeping of streets and paved surfaces.

2. Combustion Equipment.

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

(ii) Small incinerators that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act and are not considered a "designated facility" as specified in 40 CFR 60.32e of the Federal emissions guidelines for Hospital/Medical/ Infectious Waste Incinerators, that are operating as follows:

(I) Less than 8 million BTUs per hour heat input, firing types 0, 1, 2 and/or 3 waste; or

(II) Less than 8 million BTUs per hour heat input 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 million BTUs per hour heat input firing Type 4 waste.

(IV) For the purpose of this subparagraph, the following definitions apply:

I. "Type 0 waste" means trash. This refers to a mixture of combustible waste such as paper, cardboard, wood and floor sweepings; which contains up to 10% petrochemical waste, 5% non-combustibles and 10% moisture, by weight; which is generated from commercial activities; and having a higher heat value (HHV) of approximately 8,500 BTU/lb.

II. "Type 1 waste" means rubbish. This refers to a mixture of combustible waste such as paper, cardboard, wood foliage and floor sweepings; which contains up to 10% petrochemical waste, 5% non-combustibles and 10% moisture, by weight; which is generated from domestic and commercial activities; and having a HHV of approximately 6,500 BTU/lb.

III. "Type 2 waste" means refuse. This refers to an evenly distributed mixture of rubbish and garbage as usually received in municipal waste; which contains up to 50% moisture content, by weight and 7% non-combustible solids; and having a HHV of approximately 4,300 BTU/lb.

IV. "Type 3 waste" means garbage. This refers to animal and vegetable wastes from restaurants, cafeterias, hotels, markets, and like installations; which contains up to 70% moisture, by weight, and 5% non-combustible solids; and having a HHV of approximately 2,500 BTU/lb.

V. "Type 4 waste" means human and animal remains. This refers to carcasses, organs, and solid organic wastes from hospitals, laboratories, abattoirs, animal pounds; and having a HHV of approximately 1,000 BTU/lb.

(iii) Open burning in compliance with Georgia Rule 391-3-1-.02(5).

(iv) Stationary Engines Burning:

(I) Natural gas, gasoline, diesel fuel, or dual fuels which are used exclusively as emergency generators; or

(II) 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 and greater than 100 kilowatts are not insignificant activities; or

(III) Natural gas, LPG, and/or diesel fuel used for other purposes, provided that the output of each engine does not exceed 400 horsepower and that no individual engine operates for more than one thousand hours-per-year; or

(IV) Gasoline used for other purposes, provided that the output of each engine does not exceed 100 horsepower and that no individual engine operates for more 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 engines with a rated capacity equal to and greater than 100 kilowatts used for peaking power are not insignificant activities.

(V) For the purpose of this subparagraph, 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.

3. Trade Operations.

(i) Brazing, soldering and welding equipment, and cutting torches related manufacturing and construction activities whose emissions of hazardous air pollutants (HAPs) fall below 1,000 pounds per year.

4. Maintenance, Cleaning, and Housekeeping.

(i) Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system (or collector) serving them exclusively.

(ii) Portable blast-cleaning equipment.

(iii) Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.

(iv) Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.

(v) Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.

(vi) Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners.

(vii) Cleaning Operations: Alkaline/phosphate cleaners and associated cleaners and burners.

5. Laboratories and Testing.

(i) Laboratory fume hoods and vents associated with bench-scale laboratory equipment used for physical or chemical analysis.

(ii) Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are not individually major and are not support facilities making significant contributions to the product of a collocated major manufacturing facility.

6. Pollution Control.

(i) Sanitary wastewater collection and treatment systems, except incineration equipment or equipment subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(ii) On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iii) Bioremediation operations units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iv) Landfills that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

7. Industrial Operations.

(i) Concrete block and brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year.

(ii) Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate fuel oil at a maximum total heat input rate of not more than five million BTUs per hour:

(I) Furnaces for heat treating glass or metals, the use of which do not involve molten materials or oil-coated parts.

(II) Porcelain enameling furnaces or porcelain enameling drying ovens.

(III) Kilns for firing ceramic ware.

(IV) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.

(V) Bakery ovens and confection cookers.

(VI) Feed mill or grain mill ovens.

(VII) Surface coating drying ovens.

(iii) Carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, shot blasting, shot peening, or polishing; ceramics, glass, leather, metals, plastics, rubber, concrete, paper stock or wood, also including roll grinding and ground wood pulping stone sharpening, provided that:

(I) The activity is performed indoors; and

(II) No significant fugitive particulate emissions enter the environment; and

(III) No visible emissions enter the outdoor atmosphere.

(iv) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy (e.g., blueprint activity, photographic developing and microfiche).

(v) Grain, food, or mineral extrusion processes.

(vi) Equipment used exclusively for sintering of glass or metals, but not including equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds.

(vii) Equipment for the mining and screening of uncrushed native sand and gravel.

(viii) Ozonization process or process equipment.

(ix) Electrostatic powder coating booths with an appropriately designed and operated particulate control system.

(x) Activities involving the application of hot melt adhesives where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.

(xi) Equipment used exclusively for mixing and blending water-based adhesives and coatings at ambient temperatures.

(xii) Equipment used for compression, molding and injection of plastics where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.

(xiii) Ultraviolet curing processes where VOC emissions are less than five tons per year and HAP emissions are less than 1,000 pounds per year.

8. Storage Tanks and Equipment.

(i) All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored.

(ii) All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iii) All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.

(iv) All pressurized vessels designed to operate in excess of 30 psig storing petroleum fuels that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(v) Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(vi) Portable drums, barrels, and totes provided that the volume of each container does not exceed 550 gallons.

(vii) All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury (0.19 psia).

(11) **Permit by Rule.**

(a) **General Requirements.**

1. Accepting a Permit by Rule does not exempt that facility from the obligation to apply for and obtain a Construction (SIP) Permit and/or an Operating (SIP) Permit unless specifically exempted in the permit by rule. Complying with the requirements of a Permit by Rule does not relieve a facility of having to comply with other requirements of the Rules.

2. The permitting authority may, after notice and opportunity for public participation, issue a Permit by Rule covering numerous similar sources. Any Permit by Rule shall identify criteria and standards by which sources may qualify for the Permit by Rule. Any facility wishing to operate under a Permit by Rule shall certify that in writing to the permitting authority, unless specifically exempted from this requirement in the specific Permit by Rule. To sources that qualify, the permitting authority shall grant the conditions and terms of the Permit by Rule by Certification letter. Notwithstanding the shield provisions of 40 CFR Part 70.6(f), the source shall be subject to enforcement action for operation without a Part 70 Permit if the source is later determined not to qualify for the conditions and terms of the Permit by Rule.

3. It is the responsibility of any facility accepting a "Permit by Rule" to submit a report within 15 days following the last day of any month in which the facility exceeds the annual limit during the previous 12 months or monthly limit during the previous month. The report shall include the following:

(i) Facility name, ID, and location.

(ii) The "Permit by Rule" name, number and applicable limits.

(iii) A summary of the records showing the exceedance along with an explanation.

(iv) What the facility plans to do to prevent future occurrences.

(b) **Permit by Rule Standards.**

1. Fuel-Burning Equipment Burning Natural Gas/LPG and/or Distillate Oil.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with external combustion fuel burning equipment rated at less than or equal to 100 million BTU per hour, with a potential to emit in excess of the Part 70 major source threshold, without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Facilities for which the only source of regulated air pollutants from external combustion fuel-burning equipment (excluding turbines) is from equipment permitted to burn natural gas/LPG and/or distillate oil exclusively shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Record keeping. A log of the monthly fuel use must be kept. The total fuel usage for the previous twelve consecutive months must be included in each month's log. Consumption of distillate oil shall be recorded in gallons, consumption of LPG shall be recorded in gallons and consumption of natural gas shall be recorded in cubic feet. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Fuel Usage. Facility fuel usage shall be limited to 900 million cubic feet of natural gas (or 7.0 million gallons of LPG) and 1.6 million gallons of distillate oil during any twelve consecutive months except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, where fuel usage shall be limited to 300 million cubic feet of natural gas (or 1.5 million gallons of LPG) and 500,000 gallons of distillate oil during any twelve consecutive months.

2. Fuel-Burning Equipment Burning Natural Gas/LPG and/or Residual Oil.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with external combustion fuel burning equipment rated at less than or equal to 100 million BTU per hour, with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Facilities for which the only source of regulated air pollutants from external combustion fuel burning equipment is from equipment permitted to burn only natural gas/LPG and/or residual fuel oil exclusively shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Recordkeeping. A log of the monthly fuel use must be kept. The total fuel usage for the previous twelve consecutive months must be included in each month's log. Consumption of residual fuel oil shall be recorded

in gallons, consumption of LPG shall be recorded in gallons and consumption of natural gas shall be recorded in cubic feet. This log shall be kept for five years past the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Fuel Usage. Annual facility fuel usage shall be limited to 1,000 million cubic feet of natural gas (or 7.5 million gallons of LPG) and 400,000 gallons residual fuel oil during any twelve consecutive months except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where fuel usage shall be limited to 300 million cubic feet of natural gas (or 1.5 million gallons of LPG) and 200,000 gallons of residual fuel oil.

3. On-Site Power Generation.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Facilities that operate internal combustion engines for purposes of generating emergency power, peaking power, and/or temporary on-site power and where such equipment burns natural gas/LPG, #1 fuel oil (kerosene/JP4 or JP5) and/or #2 fuel oil/diesel exclusively shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Record Keeping. A log of the monthly total horsepower-hours for the facility based on the number of hours of operation of each unit per month times the maximum horsepower rating of that unit must be included in each month's log. The total horsepower-hours for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Power Production Limits. A facility's power generation is limited to a total of no more than 6.7 million horsepower-hours during any twelve consecutive months except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties, where the total is no more than 1.675 million horsepower-hours during any twelve consecutive months.

4. Concrete Mixing Plants.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Concrete mixing plants shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that would otherwise have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Recordkeeping. A log of the monthly production must be kept. The total production for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual Production. Production on the plant site shall be limited to 600,000 cubic yards during any twelve consecutive months.

5. Hot Mix Asphalt Plants.

(i) Notwithstanding any other provision of these Rules, this standard applies to hot mix asphalt facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally

enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Hot mix asphalt plants shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that would otherwise have potential emissions of greater than major source thresholds or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Record Keeping.

I. New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only shall maintain a monthly log of production and hours of operation. The total production and hours of operation for the previous twelve consecutive months must be included in each month's log. These logs shall be kept for five years from the date of last entry and shall be available for inspection and/or submittal to the Division.

II. New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, and residual oil in any combination shall maintain a monthly log of production, hours of operation and monthly fuel use. The total production, hours of operation and fuel oil usage for the previous twelve consecutive months must be included in each month's log. Fuel oil certifications showing sulfur content equal to or less than 1.5% shall also be maintained. These logs and certifications shall be kept for five years from the date of last entry and shall be available for inspection and/or submittal to the Division.

(II) Annual Production.

I. New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only shall limit:

A. Production to 400,000 tons during any twelve consecutive months; and

B. Operations to 3000 hours during any twelve consecutive months.

II. New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, and residual oil in any combination shall limit:

A. Production to 200,000 tons during any twelve consecutive months;

B. Fuel sulfur content to less than or equal to 1.5%;

C. Operation to 3000 hours during any twelve consecutive months; and

D. Fuel oil usage to 678,000 gallons during any twelve consecutive months.

III. New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only, which are located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall limit:

A. Production to 300,000 tons during any twelve consecutive months; and

B. Operations to 3000 hours during any twelve consecutive months.

IV. New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, and residual oil in any combination, which are located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall limit:

A. Production to 125,000 tons during any twelve consecutive months;

B. Fuel sulfur content to less than or equal to 1.5%;

C. Operation to 3000 hours during any twelve consecutive months; and

D. Fuel oil usage to 250,000 gallons during any twelve consecutive months.

6. Cotton Ginning Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Cotton ginning operations shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A log of the monthly production must be kept. The total production for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual Production. Production shall be limited to 120,000 standard bales of cotton during any twelve consecutive months.

7. Coating and/or Gluing Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in amounts equal to or exceeding the Part 70 and Part 63 major source thresholds without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 or Part 63 major source thresholds. This standard applies only to facilities:

(I) Where the actual VOC emissions from coating and/or gluing operations represent at least 90 percent of the plant wide actual VOC emissions; and

(II) Where the actual HAP emissions from coating and/or gluing operations represent at least 90 percent of the plant wide actual HAP emissions or where the actual HAP emissions from non-coating and non-gluing operations are less than 1.0 tons per year.

(ii) This standard establishes federally enforceable conditions limiting the potential to emit for VOC and HAPs. Coating and/or gluing operations shall be deemed to have a Permit by Rule if the conditions in one of the following subparagraphs (I), (II), (III) or (IV) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in subparagraphs (I), (II), (III), or (IV) and the remainder of this subparagraph shall obtain a Part 70 Permit. In accordance with the General Requirements in subparagraph (11)(a)2., the owner or operator of a facility wishing to operate under this Permit-by-Rule must also declare which of the four options are going to be met.

(I) The owner or operator of the source shall consume less than 20,000 pounds of any VOC and/or HAP containing materials during any twelve consecutive months. A log of the monthly consumption of VOC and/or HAP containing material must be kept. The total consumption for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to coatings, thinners, and solvents) shall be recorded in pounds. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(II) The owner or operator of the facility shall use less than 250 total gallons each month, of coating, gluing, cleaning, and washoff materials at the facility. The owner or operator shall demonstrate compliance by maintaining records of the total gallons of coating, gluing, cleaning, and washoff materials used each month. These records shall

be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(III) The owner or operator of the source shall use less than 3,000 total gallons per rolling 12-month period, of coating, gluing, cleaning, and washoff materials at the facility. A rolling 12-month period includes the previous 12 months of operation. The owner or operator of the facility shall demonstrate compliance by maintaining records of the total gallons of coating, gluing, cleaning, and washoff materials used each month and the total gallons used each rolling 12-month period. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(IV) The owner or operator of the facility shall use materials containing less than 5 tons of any one HAP per rolling 12-month period, less than 12.5 tons of any combination of HAPs per rolling 12-month period, less than 25 tons of VOC per rolling 12-month period for sources located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties, and less than 50 tons of VOC per rolling 12-month period for facilities not located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties. The owner or operator shall demonstrate compliance by maintaining records that demonstrate that annual emissions do not exceed these levels, including monthly usage records for each finishing, gluing, cleaning, and washoff material used to include the VOC and individual HAP content of each material; certified product data sheets for these materials; summation of VOC and individual and total HAP usage on a monthly basis; and the total VOC and individual and total HAP usage each rolling 12-month period and any other records necessary to document emissions. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(iii) The owner or operator that chooses to comply with this Permit by Rule for Coating and/or Operations shall maintain all purchase orders and/or invoices of materials containing VOC's and HAP's for a minimum of five years. These purchase orders and/or invoices must be made available to the Division upon request for use in confirming the general accuracy of the records retained and reports submitted.

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

(I) "Certified product data sheet (CPDS)" means documentation furnished by coating or adhesive suppliers or an outside laboratory that provides the Volatile Hazardous Air Pollutant (VHAP), as listed in Table 2 of 40 CFR Part 63, Subpart JJ, content of a finishing material, contact adhesive, or solvent, by percent weight, measured using Method 311 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants (PTM), or an equivalent or alternative method [or formulation data if the coating meets the criteria specified in 40 CFR 63.805(a)]; the solids content of a finishing material or contact adhesive by percent weight, determined using data from Method 24 of the Georgia PTM as referenced in this subparagraph, or an alternative or equivalent method [or formulation data if the coating meets the criteria specified in 40 CFR 63.805(a)]; and the density, measured by Method 24 of the Georgia PTM as referenced in this subparagraph or an alternative or equivalent method. Therefore, the reportable VHAP content shall represent the maximum aggregate emissions potential of the finishing material, adhesive, or solvent in concentrations greater than or equal to 1.0 percent by weight or 0.1 percent for VHAP that are carcinogens, must be reported on the CPDS. The purpose of the CPDS is to assist the affected source in demonstrating compliance with the emission limitations presented in subparagraph (11)(b)7.(ii)(IV).

(Note: Because the optimum analytical conditions under Method 311 vary by coating, the coating or adhesive supplier may also choose to include on the CPDS the optimum analytical conditions for analysis of the coating, adhesive, or solvent using Method 311. Such information may include, but not be limited to, separation column, oven temperature, carrier gas, injection port temperature, extraction solvent, and internal standard.)

(II) "Coating" means a protective, decorative, or functional film applied in a thin layer to a surface. Such materials include, but are not limited to, paints, topcoats, varnishes, sealers, stains, washcoats, basecoats, enamels, inks, and temporary protective coatings. Aerosol spray paints used for touch-up and repair are not considered coatings under this subparagraph of the rule.

(III) "Gluing" means those operations in which adhesives are used to join components, for example, to apply a laminate to a wood substrate or foam to fabric.

8. Printing Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Printing operations shall be deemed to have a Permit by Rule if the conditions in paragraph (I), and (II) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A log of the monthly consumption of VOC and/or Hazardous Air Pollutant containing material must be kept. The total consumption for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to inks, thinners, and solvents) shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual consumption. The consumption of any VOC and/or Hazardous Air Pollutant emitting materials (including but not limited to inks, thinners, and solvents) by the facility shall be limited to 20,000 pounds during any twelve consecutive months.

9. Non-Reactive Mixing Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Non-reactive mixing operations shall be deemed to have a Permit by Rule if the conditions in paragraphs (I) through (V) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in this rule shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A monthly log of materials mixed must be kept. The mixing total for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to coatings, thinners, and solvents) shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual mixing limit. Materials mixed shall be limited to 500 tons during any twelve consecutive months.

(III) Mixing/blending tanks shall be equipped with lids.

(IV) Tank lids must be closed at all times during operation except when charging raw materials, retrieving samples, or discharging finished product.

(V) Mixing tanks must be maintained at a temperature of less than 150°F.

10. Fiberglass Molding and Forming Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Fiberglass molding operations shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A log of the combined monthly usage of polyester resin and gel coat must be kept. The previous twelve consecutive month material usage total must be included in each month's log. Records for

the combined weight of polyester resin and gel coat shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Material Usage. Annual facility material usage shall be limited to 89,000 pounds during any twelve consecutive months for any combination of hand and spray lay-up operations. Annual facility material usage shall be limited to 120,000 pounds during any twelve consecutive months for spray lay-up operations only. This material input must represent the combined weight of polyester resin and gel coat used during any twelve consecutive months.

11. Peanut/Nut Shelling Operation.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source threshold. Peanut/nut shelling facilities shall be deemed to have a Permit by Rule if the conditions in paragraph (I), (II) and (III) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraph (I), (II) and (III) shall obtain a Part 70 Permit.

(I) Monitoring and Recordkeeping. A log of the monthly unshelled peanuts/nuts processed must be kept. The total amount of unshelled peanuts/nuts processed for the previous 12 consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual Process input: Facility process input shall be limited to 130,000 tons of unshelled nuts during any twelve consecutive months.

(III) Annual hours of operation shall not exceed 5000 hours during any twelve consecutive months.

(ii) For the purposes of this standard, the term process, as it applies to peanut/nut shelling facilities, shall include all of the activities associated with the nut shelling process from nut drying, cleaning, shelling, to and including product and waste material handling at the facility.

(12) **Generic Permit.**

(a) **Under penalty** of law, the holder of any Air Quality General Generic Permit must adhere to the terms, limitations, and conditions of that permit and subsequent revisions of that permit.

(b) **The limitations**, controls, and requirements in federally enforceable operating permits are permanent, quantifiable, and otherwise enforceable as a practical matter.

(c) **Prior to the issuance** of any federally enforceable operating permit, EPA and the public will be notified and given a chance for comment on the draft permit.

(13) **Emission Reduction Credits.**

(a) **Applicability.**

This paragraph provides for the creation, banking, and transfer of nitrogen oxides and VOC Emission Reduction Credits in Federally designated ozone non-attainment areas in Georgia and any areas designated by the Director as contributing to the ambient air level of ozone in Federally designated ozone non-attainment areas in Georgia. The following sources are eligible to create and bank nitrogen oxides and VOC Emission Reduction Credits:

1. [reserved]

2. Any stationary source located within the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, and Rockdale and which has the potential to emit nitrogen oxides or VOCs in amounts greater than 100 tons-per-year.

3. Electrical Generating Units located at any stationary source within the counties of Banks, Barrow, Butts, Carroll, Chattooga, Clarke, Dawson, Floyd, Gordon, Hall, Haralson, Heard, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pickens, Pike, Polk, Putnam, Spalding, Troup, Upson, and Walton and which has the potential to emit nitrogen oxides in amounts greater than 100 tons-per-year.

(b) **Eligibility of Emission Reductions.**

1. In order to be approved by the Division as an Emission Reduction Credit, a reduction in emissions must be real, permanent, quantifiable, enforceable, and surplus and shall have occurred after December 31, 1996.

2. To be eligible for consideration as Emission Reduction Credits, emission reductions may be created by any of the following methods:

(i) Installation of control equipment;

(ii) A change in process inputs, formulations, products or product mix, or raw materials;

(iii) A reduction in actual emission rate;

(iv) A reduction in operating hours;

(v) Production curtailment;

(vi) Shutdown of emitting sources or facilities; or

(vii) Any other enforceable method as determined by the Division.

(c) **Quantification of Emission Reduction Credits.**

1. For purposes of calculating the amount of emission reduction that can be quantified as an Emission Reduction Credit, the following procedures must be followed:

(i) The source must calculate its average actual annual emissions prior to the emission reduction. Actual emissions prior to the reduction shall be calculated in tons per year. In calculating average actual annual emissions prior to the emission reduction, the source shall use data from the 24-month period immediately preceding the reduction in emissions. The Division may allow the use of a different time period upon determination that such period is more representative of normal source operation.

(ii) The Emission Reduction Credit generated by the emission reduction shall be calculated by subtracting the allowable annual emissions rate following the reduction from the average actual annual emissions prior to the reduction**.**

(d) **Discounting and Revocation of Emission Reduction Credits.**

1. Except as provided below, the Director shall not discount or otherwise reduce the value of Emission Reduction Credits banked under this paragraph.

(i) [reserved]

(ii) Discounting Based on Time Banked.

Emission Reduction Credits banked under this paragraph will not expire at any time. However, Emission Reduction Credits will be discounted at a rate of 10 percent of the original Emission Reduction Credit value per year beginning on the 11th anniversary of the date on which the reduction in emissions initially occurred, up to a maximum total discount of 50 percent of the original Emission Reduction Credit value on the 15th anniversary of the date on which

the reduction in emissions initially occurred. Annual discounting under this subparagraph (ii) shall not occur if the affected Emission Reduction Credits have already been discounted by 50% or more under the following subparagraph (iii) due to the promulgation of more stringent regulations affecting the source category that created the Emission Reduction Credits.

(iii) Discounting for More Stringent Regulations.

If any State or Federal statute, rule, or regulation decreases an allowable emission rate or otherwise requires a reduction in nitrogen oxides or VOC from a particular source category or categories, any banked nitrogen oxides or VOC Emission Reduction Credits created by that source category or categories shall be reduced to reflect the new more stringent allowable emission limit or required reduction.

(iv) Discounting or Revocation for Cause.

The Director may revoke, suspend, or reduce the value of Emission Reduction Credits for cause, including evidence of noncompliance with permit conditions imposed to make the emission reductions permanent and enforceable; failure to achieve in practice the emission reductions on which the Emission Reduction Credits are based; or misrepresentations made in the Emission Reduction Credit application or any other applications on which the Emission Reduction Credits are based, supporting data entered therein or attached thereto, or any subsequent submittal or supporting data.

2. The owner of a Certificate of Emissions Reduction Credit may submit an application to re-evaluate a Certificate of Emission Reduction Credit to determine whether the amount of credits specified in the Certificate of Emission Reduction Credit has been discounted or revoked in accordance with subparagraph 1., above. Such application shall be submitted on forms and contain information specified by the Division.

(e) **Creation and Banking of Emission Reduction Credits.**

1. Sources seeking to create and bank Emission Reduction Credits must submit an application on forms supplied by the Division and signed by the applicant. The application shall include, at a minimum, the following information:

(i) The company name, contact person and phone number, and street address of the source seeking the Emission Reduction Credit;

(ii) A description of the type of source, including SIC code, where the proposed emission reduction shall occur;

(iii) A detailed description of the method or methods to be employed by the source to create the emission reduction;

(iv) The date the emission reduction occurred or is to occur;

(v) Quantification of the Emission Reduction Credit, as required under subparagraph (c);

(vi) The proposed method for ensuring the reductions are permanent and enforceable, including any necessary application to amend the source's operating permit or, in the case of a shutdown of process equipment or an entire source, request for permit revocation;

(vii) Whether any portion of the reduction in emissions to be used to create the Emission Reduction Credit has previously been used to avoid New Source Review through a "netting demonstration;" and

(viii) Any other information that may be required to demonstrate that the reduction in emissions is real, permanent, quantifiable, enforceable, and surplus, as defined in subparagraph (b).

2. The Division will determine whether the application is complete and will notify the source seeking the Emission Reduction Credit of its determination. A Certificate of Emission Reduction Credit will be issued to the source upon a determination by the Director that the emission reduction meets the requirements of this paragraph. Upon issuance

of the Certificate, the Division will simultaneously take any action required to ensure the reduction is permanent and enforceable, including issuance of a revised permit or revocation of a permit.

3. Certificates of Emission Reduction Credit shall be issued by the Director and shall contain the following information:

(i) The amount of the credit, in tons per year;

(ii) The pollutant reduced (nitrogen oxides or VOC);

(iii) The date the reduction occurred;

(iv) The street address and county of the source where the reduction occurred; and

(v) The date of issuance of the Certificate.

4. The Division shall maintain an Emission Reduction Credit registry that constitutes the official record of all Certificates of Emission Reduction Credit issued and all withdrawals made. The registry shall be available for public review. For each certificate issued, the registry will indicate the amount of the Emission Reduction Credit, the pollutant reduced, the location of the facility generating the Emission Reduction Credit, and the facility contact person.

(f) [reserved]

(g) **Transfer of Certificates of Emission Reduction Credit.**

1. If the owner of a Certificate of Emission Reduction Credit transfers the Certificate to a new owner, the Division shall issue a Certificate of Emission Reduction Credit to the new owner and shall revoke the certificate held by the current owner of record.

2. If the owner of a Certificate of Emission Reduction Credit transfers part of the Emission Reduction Credits represented by the Certificate to a new owner, the Division shall issue a Certificate of Emission Reduction Credit to the new owner reflecting the transferred amount and shall issue a Certificate of Emission Reduction Credit to the current owner of record reflecting the amount of Emission Reduction Credit remaining after the transfer. The original Certificate of Emission Reduction credit shall be revoked.

(h) **Administrative Fees.**

1. Any Source or person seeking to create, certify, bank, transfer, or re-evaluate Emission Reduction Credits shall pay fees to the Division in accordance with the following schedule:

(i) $6000 per application to create, certify and bank emission credits in accordance with subparagraph (e) of this paragraph.

(ii) [reserved]

(iii) $3000 per application to transfer a Certificate of Emission Reductions Credit as per subparagraph (g) of this paragraph. If a re-evaluation of the Certificate of Emission Reduction Credit has been completed by the Division in accordance with subparagraph (d)2. of this paragraph within 12 months prior to submission of an application to transfer the Certificate of Emission Reduction Credit, the administrative fee to transfer the Certificate of Emission Reduction Credit shall be reduced by the amount administrative fee paid for re-evaluation. The 12-month period shall be based on the date of written notification of the owner of the results of the re-evaluation by the Division.

(iv) $2500 per application to re-evaluate a Certificate of Emission Reduction Credit as per subparagraph (d)2. of this paragraph.

2. Payment of administrative fees required by this subparagraph shall be submitted along with an application to create, certify, bank, transfer, or re-evaluate Emission Reduction Credits.

(i) **Definitions.**

For the purposes of this paragraph, the following definitions shall apply:

1. "Electrical Generating Unit" means a fossil fuel fired stationary boiler, combustion turbine, or combined cycle system that serves a generator that produces electricity for sale.

2. "Enforceable" means enforceable by the Division. Methods for ensuring that Emission Reduction Credits are enforceable shall include, but not be limited to, conditions in air quality construction or operating permits issued by the Division.

3. "Netting Demonstration" means the act of calculating a "net emissions increase" under the preconstruction review requirements of Title I, Part D of the Federal Act and the regulations promulgated thereunder.

4. "Permanent" means assured for the life of the corresponding Emission Reduction Credit through an enforceable mechanism such as a permit condition or revocation.

5. "Quantifiable" means that the amount, rate and characteristics of the Emission Reduction Credit can be estimated through a reliable method and are approved by the Division.

6. "Real" means a reduction in actual emissions emitted into the air.

7. "Surplus" means not required by any local, state, or federal law, regulation, order, or requirement and in excess of reductions used by the Division in issuing any other permit or to demonstrate attainment of federal ambient air quality standards or reasonable further progress towards achieving attainment of federal ambient air quality standards. For the purpose of determining the amount of surplus emission reductions, any seasonal emission limitation or standard shall be assumed to apply throughout the year. Emission reductions which have previously been used to avoid New Source Review through a netting demonstration are not considered surplus.

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Amended: F. June 1, 2022; eff. June 21, 2022.

Amended: (i.e., paragraphs (1), (6)(j), (8), (9)(b), (9)(k), (10)(c), (11)(b)7., (13), as specified by the Agency.) F. May 30, 2023; eff. June 19, 2023.

Note: Rule 391-3-1-.03, correction of administrative typographical error in Rule History, *"**Amended:** F. May 30, 2023; eff. June 19, 2023."* corrected to *"**Amended:** (i.e., paragraphs (1), (6)(j), (8), (9)(b), (9)(k), (10)(c), (11)(b)7., (13), as specified by the Agency.) F. May 30, 2023; eff. June 19, 2023."* Effective June 19, 2023.

Amended: F. May 22, 2024; eff. June 11, 2024.

Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

Chapter 391-4. WILDLIFE RESOURCES DIVISION

Subject 391-4-2. HUNTING REGULATIONS

391-4-2-.31 Fox, Grouse, Opossum, Quail, Rabbit, Raccoon, Squirrel, Bobcat

(1) The following species may be hunted in accordance with the areas, seasons, and daily bag limits set forth below, except as otherwise specifically provided herein:

Species	Area	Season	Bag Limit
(a) Bobcat	Statewide	Dec. 1 through last day in February	No Limit
(b) Fox	Statewide	Dec. 1 through last day in February	No Limit
(c) Grouse	Statewide	Oct. 15 through last day in February	Daily: 3
(d) Opossum	Department managed lands:	August 15 through the last day of February	No Limit
	All other lands:	Jan. 1 - Dec. 31	No Limit
(e) Quail	Statewide	Second Saturday in November through last day in February	Daily: 12
(f) Rabbit	Statewide	First Saturday after Nov. 11 through last day in February	Daily: 12
(g) Raccoon	Department managed lands:	August 15 through the last day of February	No Limit
	All other lands:	Jan. 1 - Dec. 31	No Limit
(h) Squirrel	Statewide	August 15 through last day in February	Daily: 12

(2) Hunting with dogs is allowed.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.31

AUTHORITY: O.C.G.A. §§ 27-1-4**,** 27-3-15**.**

HISTORY: Original Rule entitled "Trapping" was filed on October 19, 1973; effective November 8, 1973.

Amended: Rule repealed and a new Rule of the same title adopted. Filed July 22, 1974; effective August 11, 1974.

Amended: Rule repealed and a new Rule entitled "Deer" adopted. Filed December 9, 1975; effective December 29, 1975.

Amended: Rule repealed and a new Rule entitled "Deer Statewide (Archery)" adopted. Filed August 5, 1976; effective August 25, 1976.

Amended: Rule repealed and a new Rule entitled "Deer Firearms Zone V" adopted. Filed September 14, 1977; effective October 4, 1977.

Amended: Rule repealed and a new Rule entitled "Grouse Statewide" adopted. Filed September 6, 1978; effective September 26, 1978.

Amended: Rule repealed. Filed July 26, 1979; effective August 15, 1979.

Adopted: New Rule entitled "Fox, Grouse, Opossum, Quail, Rabbit, Raccoon, Squirrel, Bobcat." F. June 13, 2013; eff. July 3, 2013.

Repealed: New Rule of same title adopted. F. June 1, 2017; eff. June 21, 2017.

Amended: F. June 22, 2022; eff. July 12, 2022.

Repealed: New Rule of same title adopted. F. June 2, 2023; eff. June 22, 2023.

Amended: F. May 2, 2024; eff. May 22, 2024.

391-4-2-.72 Provisional Regulations for Recently Acquired Wildlife Management Areas

(1) Rules 391-4-2-.60 through 391-4-2-.68 apply to the wildlife management areas (WMA), herein, except as otherwise prescribed by the department.

(2) For the wildlife management areas herein, the department is authorized to prescribe hunt types, weapons restrictions, bag limits, antler restrictions, and any other special limitations, and to annually publish the same.

(3) **Cochrans Creek WMA**

(a) Deer may be hunted during the following dates as prescribed by the department:

1. From the 2nd Saturday in September through 29 days thereafter.

2. From the 1st Thursday after October 20 through 4 days thereafter.

3. From the 1st Wednesday after October 31 through 4 days thereafter.

4. From the 1st Thursday after Thanksgiving through 3 days thereafter.

5. From the 1st Monday after December 5 through the 2nd Sunday in January.

(b) Small game may be hunted during state small game seasons except during firearms deer hunts.

(c) Turkey may be hunted from the 1st Saturday after April 2 through May 15.

(4) **Featherfield WMA**

(a) Deer may be hunted during the state deer seasons using archery only.

(b) Dove may be hunted the first, second, and third Saturdays in September and thereafter any day during the state dove seasons.

(c) Small game, except bobwhite quail, may be hunted during state small game seasons.

(d) Turkey may be hunted during the first two Saturdays and Sundays after April 2.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.72

AUTHORITY: O.C.G.A. §§ 27-1-4**,** 27-3-15**.**

HISTORY: Original Rule entitled "Special Deer Hunts for Physically Disadvantaged Deer Hunters" adopted. F. Sept. 6, 1996; eff. Sept. 26, 1996.

Repealed: New Rule entitled "Wildlife Management Areas, Federal Wildlife Areas and Other State Lands Legend" adopted. F. Apr. 30, 1999; eff. May 20, 1999.

Repealed: New Rule of same title adopted. F. May 29, 2001; eff. June 18, 2001.

Repealed: New Rule of same title adopted. F. May 30, 2003; eff. June 19, 2003.

Repealed: F. June 1, 2017; eff. June 21, 2017.

Adopted: New Rule entitled "Provisional Regulations for Newly Added Wildlife Management Areas." F. Feb. 10, 2020; eff. Mar. 1, 2020.

Repealed: F. June 8, 2021; eff. June 28, 2021.

Adopted: New Rule entitled "Provisional Regulations for Recently Acquired Wildlife Management Areas." F. May 2, 2024; eff. May 22, 2024.

391-4-2-.74 Special Opportunity Hunts on Department-managed Lands

The department may authorize a specialty hunt, mobility-impaired hunt, or hunt-and-learn event on any department-managed land within the season frameworks established in O.C.G.A. Sec. 27-3-15. Additionally, the department may close such land in whole or in part to other access or use when conducting such hunts or events and shall publish any such hunts, events, or closures and post notice at the site or area.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.74

AUTHORITY: O.C.G.A. § 27-1-4**.**

HISTORY: Original Rule entitled "Special Opportunity Hunts on Department-managed Lands" adopted. F. May 2, 2024; eff. May 22, 2024.

Department 410. RULES OF GEORGIA BOARD OF NURSING

Chapter 410-8. REGISTERED NURSING EDUCATION PROGRAMS

410-8-.02 Nursing Education Program Approval

(1) Developing Programs.

(a) The Board may grant Developmental Approval to a proposed nursing education program when compliance with Rules 410-8-.12 paragraphs (1) through (3) has been documented.

(b) The Board may grant Initial Approval to a nursing education program with Developmental Approval when compliance with Rule 410-8-.12(4) has been documented. Initial Approval is required prior to the enrollment of at least twenty (20) students in the first nursing courses.

(c) The Board may continue Initial Approval prior to the graduation of the first class when review of materials specified in Rule 410-8-.12(3)(c), the most recent annual report, and most recent site visit report, and program responses to it document compliance with the rules.

(d) The Board may grant Full Approval to a nursing education program with Initial Approval when review of the most recent annual report, the most recent site visit report, and program responses to it document compliance with the rules. The nursing program's first-time writers of the licensing examination must have a passage rate that is equivalent to the program's accrediting body requirements.

(e) If the program is not eligible for Full Approval after graduation of the first class, Conditional Approval may be imposed according to Rule 410-8-.02(3).

(2) Established Programs.

(a) The Board may continue the Full Approval of a nursing education program for any period up to ten (10) years. Approval is based upon documentation of compliance with rules relating to annual reports, the most recent site visit report and program responses to it, a passage rate of all first-time writers of the licensing examination is equivalent to the program's accrediting body requirements over the four (4) most recent calendar years and documentation of accreditation by a national nursing accrediting body recognized by the Board.

(b) A nursing education program, with Full Approval, must submit a written assessment and plan of action for review by the Board if the passage rate of all first-time writers of the licensing examination is less than the passage rate requirement from the program's accrediting body in a calendar year.

(c) A nursing education program, with Full Approval, must submit a written evaluation of the plan of action for review by the Board if the passage rate of all first-time writers of the licensing examination is less than the passage rate requirement from the program's accrediting body for a second consecutive calendar year. A site visit by Board representatives will be scheduled.

(3) Conditional Approval.

At any point during the initial approval period for developing programs or within the four-year approval cycle for established programs, the Board may impose Conditional Approval on a nursing education program for reasons, including but not limited to, the following conditions: review of any annual report reveals noncompliance with the rules; review(s) of the most recent site visit report(s) and program response(s) to it reveal continued, documented noncompliance with the rules; and/or the passage rate of all first-time writers of the licensing examination is less than the passage rate requirement from the program's accrediting body for two (2) consecutive graduation cohorts and/or the four-year average was less than the passage rate requirement from the program's accrediting body.

(4) Granting of Full Approval for a Nursing Education Program on Conditional Approval.

(a) The granting of Full Approval will require documentation of outcome measures, including but not limited to NCLEX-RN results, on an annual basis until compliance with conditions identified in Rule 410-8-.02(3) is documented.

(b) The granting of Full Approval may be for any period of time up to ten (10) years as determined by the board. If Conditional Approval has been imposed for noncompliance with the identified four-year passing rate on the licensing examination, the Board at its discretion may grant Full Approval for one (1) year. The one (1) year approval is based upon the program having documented evidence of at least two (2) most recent consecutive graduation cohorts passage rates to be equivalent to the program's accrediting body requirements of first-time writers in each calendar year even though the four-year average is not equivalent to the accrediting body's requirements.

(5) Withdrawal of Approval.

The Board may withdraw the approval of a nursing education program on Conditional Approval when continued, documented noncompliance with the rules fails to be corrected within a time period specified by the Board. In order for students, who are currently enrolled in at least one nursing course when approval is withdrawn, to be eligible for licensure upon graduation, the nursing education program must submit a written plan for their completion of the program or for their transfer to another approved nursing education program. Prior to the actual date of withdrawal of approval, the nursing program will continue to have time-limited Conditional Approval so that students will be identified as having graduated from an approved program and be eligible for licensure by examination.

(6) Reinstatement of Withdrawn Approval.

(a) Representatives of the parent institution and/or the nursing education program may appeal in writing to the Board for reconsideration of withdrawn approval within ninety (90) days of written notification.

(b) Upon written request, representatives of the parent institution and/or the nursing education program may appear before the Board to review its findings regarding program deficiencies and/or the adequacy of the program's plan of action.

(c) After documentation of compliance with rules, as determined by the Board, a nursing education program may petition the Board in writing for reinstatement of approval status and permission to enroll students.

(d) If approval is not reinstated, the parent institution must comply with all rules for the development and implementation of a new nursing education program.

(7) Reconstitution of a Nursing Education Program.

(a) If a program, which has had its approval withdrawn, decides to develop and implement a reconstituted (new) nursing education program, it must document compliance with Rule 410-8-.12. At its discretion, the Board may not require the fee for new programs and the feasibility study if Conditional Approval has previously been imposed on the program.

(b) The average passing rate of the first class must be equivalent to the program's accrediting body requirements. If compliance with this rule is not documented, approval will be withdrawn.

Cite as Ga. Comp. R. & Regs. R. 410-8-.02

AUTHORITY: O.C.G.A. §§ 43-1-25**,** 43-26-3**(1.2), 43-26-5(a)(4)-(6).**

HISTORY: Original Rule entitled "Permits by Endorsement" was filed on March 18, 1976; effective April 7, 1976.

Amended: Rule repealed and a new Rule of same title adopted. Filed October 26, 1977; effective November 15, 1977.

Amended: Filed May 31, 1978; effective July 1, 1978, as specified by the Agency.

Amended: Filed January 28, 1982; effective February 17, 1982.

Amended: Rule repealed and a new Rule entitled "Other Temporary Permits" adopted. Filed October 20, 1982; effective November 9, 1982.

Amended: Filed December 20, 1984; effective January 9, 1985.

Amended: Rule repealed. Filed December 18, 1986; effective January 7, 1987.

Amended: Rule entitled "Unlicensed Practice" adopted. Filed May 31, 1988; effective June 20, 1988.

Repealed: Authority repealed, new authority adopted. F. May 8, 1990; eff. May 28, 1990.

Repealed: New Rule of same title adopted. F. Aug. 23, 1990; eff. Sept. 12, 1990. Amended: F. Feb. 1, 2000; eff. Feb. 21, 2000.

Repealed: New Rule entitled "Nursing Education Program Approval" adopted. F. Aug. 24, 2015; eff. Sept. 13, 2015.

Amended: F. Apr. 13, 2017; eff. May 3, 2017.

Amended: F. May 20, 2024; eff. June 9, 2024.

410-8-.05 Faculty

(1) A nursing faculty member includes any registered nurse, appointed by the parent institution, regardless of the institutional designation, who is engaged in teaching/evaluation in classes, simulated settings, and practice settings.

(2) The nurse administrator and nurse faculty members of any nursing education program must be currently licensed as registered nurses in Georgia and authorized as advanced practice registered nurses (if applicable) from the initial date of appointment.

(3) Faculty who are assigned to practice settings in another state or country shall comply with the relevant nurse practice act in that jurisdiction.

(4) The nurse administrator, who is appointed with the authority and responsibility for the development, administration, and evaluation of the nursing program(s) within the nursing unit, must have at least one (1) earned graduate degree in nursing and at least three (3) years of teaching experience in a nursing education program leading to initial registered nurse licensure or completion of a higher degree in nursing.

(5) Any registered nurse, appointed by the parent institution, who is engaged in teaching/evaluation in classes, simulated settings and practice settings, must hold at least a baccalaureate or higher degree in nursing.

(6) For any given academic term, the nursing education program must be able to provide evidence that at least the majority of faculty members are full time in didactic settings with an exemption for clinical settings and that at least three-fourths of individual full-time faculty members hold one (1) or more earned graduate degrees in nursing.

(7) A full-time faculty member with only a baccalaureate degree in nursing must be able to provide documentation of progress toward an earned graduate degree in nursing, have experience in the area of responsibility, and be directed by a faculty member with at least one (1) earned graduate degree in nursing.

(8) Faculty members shall have the graduate nursing education, expertise, and professional development necessary to enable the goals/outcomes of the curriculum.

(9) For any course with a nursing title and number, a qualified registered nurse faculty member must be the coordinator.

(10) Faculty members must be available to direct, coach, mentor, and critique students engaged in learning activities in classes, simulated settings, and practice settings.

(11) A faculty/student ratio of at least one (1) registered nurse faculty member providing direct supervision for no more than ten (10) students engaged in direct patient care in inpatient practice settings must be maintained to provide for the safety of patients/clients, students, and faculty members.

(12) Faculty members shall participate in and document the development, implementation, and evaluation of the nursing education program.

(13) Policies in effect for nursing faculty, including workload, shall be consistent with those in effect for all faculty appointed by the parent institution.

(14) The process of selection, approval, and role development, and delineation of responsibilities of full-time and part-time faculty members shall be documented.

(15) Out of state nursing education programs that have faculty and students engaged in learning activities in Georgia practice settings must comply with the Georgia Registered Professional Nurse Practice Act.

(16) An international nursing educator, who is not licensed as a registered professional nurse in Georgia and who is participating as an exchange visitor in a nursing education program, may direct, coach, mentor, and critique students engaged in learning activities in classes and simulated settings under the following conditions:

(a) Responsibility for any course, in which the international nursing educator participates, must be assumed by a faculty member appointed by the parent institution;

(b) Monetary compensation to the international nursing educator must not be provided by the parent institution;

(c) Until licensure by examination has been granted, the international nursing educator must not be involved in actual, interactive learning activities with students and patients/clients in practice settings; and

(d) In advance of the exchange period, the Board of Nursing must be notified of the academic and regulatory credentials of the international nursing educator for a one-time period not to exceed all or part of a quarter or semester.

Cite as Ga. Comp. R. & Regs. R. 410-8-.05

AUTHORITY: O.C.G.A. §§ 43-1-25**,** 43-26-2**,** 43-26-3**(1.2), 43-26-5(a)(4)-(6).**

HISTORY: Original Rule entitled "Faculty" adopted. F. Aug. 24, 2015; eff. Sept. 13, 2015.

Amended: F. Nov. 8, 2017; eff. Nov. 28, 2017.

Amended: F. June 10, 2022; eff. June 30, 2022.

Amended: F. May 20, 2024; eff. June 9, 2024.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-3. EDUCATOR PREPARATION RULES

505-3-.01 [Effective 6/15/2024] Requirements and Standards for Approving Educator Preparation Providers and Educator Preparation Programs

(1) **Purpose.** This rule states requirements and standards for the approval of educator preparation providers (EPPs) and programs for the initial and continuing preparation of educators in Georgia.

(2) **Definitions.**

(a) Accreditation: (1) A process for assessing and enhancing academic and educational quality through external, often voluntary, peer review. (2) A decision awarded and process certified by an accrediting organization. For the purposes of educator preparation provider (EPP) and program approval, GaPSC recognizes three (3) types of accreditation: Regional Accreditation, National Accreditation, and Specialized Accreditation. Each type of accreditation is defined in subsequent definitions.

(b) Administrative Approval: A process used in lieu of the Developmental Approval Review exclusively for endorsement programs and available only to GaPSC-approved EPPs. Administrative approval involves a staff review of an approval application and a curriculum map in which key assessments are described and mapped to program content standards. After an endorsement program is administratively approved, it will be reviewed against all applicable standards in the EPP's next Continuing Approval Review.

(c) Advanced Preparation/Degree-Only Program: An educator preparation program at the post-baccalaureate level for the continuing education of educators who have previously completed initial preparation and are certified in the program's subject area or field of certification. Advanced preparation/degree-only programs commonly award graduate credit and include masters, specialist, and doctoral degree programs.

(d) Approval: A process for assessing and enhancing academic and educational quality through peer review, to assure the public that an educator preparation provider (EPP) and/or program has met institutional, state, and national standards of educational quality; also, a Georgia Professional Standards Commission (GaPSC) decision rendered when an EPP or program meets GaPSC standards and annual reporting requirements.

(e) Approval Review: Examination of evidence and interviews of stakeholders conducted by GaPSC reviewers either on-site at an institution/agency, or electronically using web and telephone conferencing systems as part of a Developmental, First Continuing, Continuing, Focused, or Probationary Review. Although not an approval review, the Substantive Change process is used when certain changes are made to the design or operations of approved program (see definition aq, below).

(f) B/P-12: Formerly P-12, the term *B/P-12* references schools serving children aged birth to grade 12.

(g) Branch Campus: A campus that is physically detached from the parent university or college and has autonomous governance. A branch campus generally has full student and administrative services with a CEO and is regionally accredited separately from the parent campus. For approval purposes, GaPSC considers branch campuses distinct from the parent institution and therefore a separate EPP. For approval purposes, a branch campus located in the state of Georgia having an original, or main, campus located in another state or country is considered an out-of-state institution and is therefore ineligible to seek GaPSC approval as an EPP.

(h) Candidates/Teacher Candidates: Individuals enrolled in programs for the initial or advanced preparation of educators, programs for the continuing professional development of educators, or programs for the preparation of other professional school personnel. Candidates are distinguished from students in B/P-12 schools. Candidates in

programs leading to Teaching (T) certification may also be referred to as Pre-service Teacher Candidates. (The term *enrolled* is used in the GaPSC approval process to mean the candidate is admitted and taking classes.)

(i) Clinical Educators: All educator preparation provider (EPP) and P-12 school-based individuals, including classroom teachers, who assess, support, and develop a candidate's knowledge, skills, or professional dispositions at some stage in the clinical experiences. The term *Clinical Educators* is intended to be inclusive of the roles of Mentor Teacher, B/P-12 Supervisor, and Faculty Supervisor. EPPs are expected to clearly define the roles and responsibilities of all clinical educators with whom candidates interact.

(j) Clinical Practice: Culminating residency (formerly referred to as *student teaching)* or internship experiences with candidates placed in classrooms for at least one (1) full semester where they experience intensive and extensive practices in which they are fully immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing. In initial preparation programs in Service (S) and Leadership (L) fields, candidates will complete such culminating residency or internship experiences in placements that allow the knowledge, skills, and dispositions included in the programs to be practiced and applied. In non-traditional preparation programs, such as GaTAPP, clinical practice is job-embedded as candidates must be hired as a classroom teacher to be admitted to the program.

(k) Content Knowledge: The central concepts, tools of inquiry, and structures of a discipline (Source: CAEP Glossary).

(l) Council for the Accreditation of Educator Preparation (CAEP): The national accreditation organization formed as a result of the unification of the National Council for the Accreditation of Teacher Education (NCATE) and the Teacher Education Accreditation Council (TEAC). CAEP advances excellence in educator preparation through evidence-based accreditation that assures quality and supports continuous improvement to strengthen B/P-12 student learning. CAEP accredits educator preparation providers (EPPs).

(m) Dispositions: Moral commitments and professional attitudes, values, and beliefs that underlie educator performance and are demonstrated through both verbal and non-verbal behaviors as educators interact with students, families, colleagues, and communities.

(n) Distance Learning: A formal educational process in which instruction occurs when candidates and the instructor are not in the same place at the same time. Distance learning can occur through virtually any media including asynchronous or synchronous, electronic or printed communications.

(o) Distance Learning Program: A program delivered primarily (50% or more contact hours) through distance technology in which the instructor of record and candidates lack face-to-face contact and instruction is delivered asynchronously or synchronously (see definition n). These preparation programs include those offered by the EPP through a contract with an outside vendor or configured as a consortium with other EPPs, as well as those offered solely by the provider.

(p) Dyslexia and Other Related Disorders: Dyslexia is a specific learning disability that is neurological in origin, which is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge. Other related disorders include aphasia, dyscalculia, and dysgraphia.

1. Aphasia: Aphasia is a condition characterized by either partial or total loss of the ability to communicate verbally or through written words. A person with aphasia may have difficulty speaking, reading, writing, recognizing the names of objects, or understanding what other people have said. The condition may be temporary or permanent and shall not include speech problems caused by loss of muscle control.

2. Dyscalculia: Dyscalculia is the inability to understand the meaning of numbers, the basic operations of addition and subtraction, or the complex operations of multiplication and division or to apply math principles to solve practical or abstract problems.

3. Dysgraphia: Dysgraphia is difficulty in automatically remembering and mastering the sequence of muscle motor movements needed to accurately write letters or numbers.

(q) Educator Preparation Program: A planned sequence of courses and experiences for preparing B/P-12 teachers and other professional school personnel that leads to a state certification. The three (3) types of educator preparation programs are described in definitions aa (Initial), s (Endorsement), and c (Advanced/Degree-Only).

(r) Educator Preparation Provider (EPP): The institution of higher education (IHE), college, school, department, agency, or other administrative body responsible for managing or coordinating all programs offered for the initial and continuing preparation of teachers and other school personnel, regardless of where these programs are administratively housed.

(s) Endorsement Program: A planned sequence of courses and experiences, typically three (3) to four (4) courses in length, designed to provide educators with an additional, specific set of knowledge and skills, or to expand and enhance existing knowledge and skills. Successful completion of an endorsement program results in the addition of the endorsement field to the Georgia educator certificate designating expertise in the field. Endorsement programs may be offered as non-credit bearing programs, or they may lead to college credit; they must be approved by the GaPSC and administered by a GaPSC-approved EPP, and may be offered as either a stand-alone program or, unless otherwise specified in GaPSC Educator Preparation Rules 505-3-.82 through 505-3-.115, embedded in an initial preparation or advanced/degree-only program. Depending on the needs of the individual educator, endorsement programs may also be included as a part of an educator's professional learning plan/goals. See GaPSC Rule 505-2-.14, ENDORSEMENTS.

(t) EPP Readiness Framework: Formerly called *Preconditions.* Fundamental requirements that undergird the GaPSC standards that must be met as a first step in the approval process and before an EPP is permitted to schedule a Developmental Approval Review.

(u) Field Experiences: Activities that include organized and sequenced engagement of candidates in settings providing opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration, and including substantive work with B/P-12 students and B/P-12 personnel as appropriate. In non-traditional preparation programs (e.g., GaTAPP), field experiences occur outside candidates' classrooms with students with different learning needs and varied backgrounds in at least two (2) settings during the clinical practice.

(v) First Continuing Review: The First Continuing Review is conducted three (3) to four (4) years after a Developmental Review to determine if the EPP and/or initial educator preparation program(s) have evidence of meeting all applicable standards.

(w) Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP): Georgia's non-traditional preparation program for preparing career changers for certification as B/P-12 teachers. See GaPSC Rule 505-3-.05 GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(x) Grade Point Average (GPA): A quantitative indicator of candidate achievement. Letter grades are converted to numbers and averaged over a period of time.

(y) Induction: (1) The formal act or process of placing an individual into a new job or position and providing appropriate support during the first three (3) years of employment. The Georgia Department of Education defines The Induction Phase Teacher as any teacher who has been hired into a new permanent position in any Georgia

school. (2) A Georgia level of professional type educator certification; for additional information see GaPSC Rule 505-2-.04 INDUCTION CERTIFICATE.

(z) Information Literacy: An intellectual framework for understanding, finding, evaluating, and using information - activities which may be accomplished in part by fluency with information technology, in part by sound investigative methods, but most importantly, through critical discernment and reasoning (adopted from The Association of College and Research Libraries).

(aa) Initial Preparation Program: A program designed to prepare candidates for their initial, or first professional type certificate in a Teaching (T), Leadership (L), or Service (S) field. Examples include degree programs at the baccalaureate, masters, or higher levels; or post-baccalaureate programs, non-degree certification-only programs, and non-traditional programs, such as the Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) or Alternative Preparation for Educational Leadership program. Programs leading to an educator's first certificate in a particular field are considered initial preparation even if the educator is certified in one or more other fields.

(ab) Local Unit of Administration (LUA): 1. A local unit of administration (LUA) is a local education agency or a regional educational service agency, including but not limited to public, waiver, strategic waiver system, charter system or charter schools and private schools (i.e., faith-based schools, early learning centers, hospitals, juvenile detention centers, etc.). State agencies and public and private institutions of higher education requiring certification for employment purposes are included in this definition.

(ac) Media Literacy: The ability to encode and decode the symbols transmitted via media and the ability to access, analyze, evaluate, and communicate information in a variety of forms, including print and non-print messages. Also known as the skillful application of literacy skills to media and technology messages (adopted from the National Association for Media Literacy Education).

(ad) Mentor Teacher: A B/P-12 employed teacher and an expert practitioner who supports the development of a pre-service or novice teacher by assessing and providing feedback on instructional practice; interactions with students, colleagues, and parents; classroom management; and professionalism. Mentor teachers are typically involved with faculty supervisors in the formal supervision and evaluation of pre-service clinical practice experiences (residency/internship). The term *Mentor Teacher* is often used synonymously with the terms *Cooperating Teacher* and *B/P-12 Supervisor*. The terms *B/P-12 Supervisor* and *Faculty Supervisor* are described in definition au.

(ae) National Accreditation: National accreditation is conducted by an accrediting organization which develops evaluation criteria and conducts peer evaluations to assess whether or not those criteria are met. National accrediting agencies operate throughout the country and review entire institutions, EPPs, or programs in specific content fields. The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is an example of a national accrediting organization that reviews institutions. CAEP (see definition l) is an example of a national accrediting organization that reviews EPPs. The National Association of Schools of Music (NASM) is an example of a national accrediting organization that reviews programs in a specific field.

(af) Nationally Recognized Program: A program that has met the standards of a national specialized professional association (SPA) that is a constituent member of CAEP. The term *National Recognition* signifies the highest level of SPA recognition awarded to programs.

(ag) Non-traditional Teacher Preparation Program (GaTAPP): A program designed to prepare individuals who at admission hold an appropriate degree with verified content knowledge through a major or its equivalent in the content field or a passing score on the state-approved content assessment in the content field. If the state-approved content knowledge was not required at admission, it must be passed for program completion. Non-traditional teacher preparation programs lead only to a certificate, not to a degree or college credit and:

1. Feature a flexible timeframe for completion;

2. Are job-embedded, allowing candidates to complete requirements while employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State

Charter School Commission, or a charter school approved by the Georgia Department of Education as a classroom teacher full-time or part-time for at least a half day;

3. Require that candidates are supported by a Candidate Support Team;

4. Require an induction component that includes coaching and supervision;

5. Provide curriculum, performance-based instruction, and assessment focused on the pedagogical knowledge, skills, and dispositions necessary for the candidate to teach his/her validated academic content knowledge; and

6. Are individualized based on the needs of each candidate with respect to content knowledge, pedagogical skills, learning modalities, learning styles, interests, and readiness to teach. See GaPSC Rule 505-3-.05 GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(ah) Out-of-State Institution: An institution of higher education administratively based in a state within the United States other than Georgia, or another country.

(ai) Pedagogical Content Knowledge: A core part of content knowledge for teaching that includes: core activities of teaching, such as determining what students know; choosing and managing representations of ideas; appraising, selecting and modifying textbooks; and deciding among alternative courses of action and analyzing the subject matter knowledge and insight entailed in these activities (Source: adapted from the CAEP Glossary).

(aj) Pedagogical Knowledge: The broad principles and strategies of classroom instruction, management, and organization that transcend subject matter knowledge (Source: CAEP Glossary).

(ak) Pedagogical Skills: An educator's abilities or expertise to impart the specialized knowledge/content and skills of their subject area(s) (Source: CAEP Glossary).

(al) Preparation Program Effectiveness Measures (PPEMs): A set of common measures applied to all teacher preparation programs leading to initial certification in a field. Teacher Preparation Program Effectiveness Measures (TPPEMs) are further defined in GaPSC Rule 505-3-.02 EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(am) Program Completer: A person who has met all the requirements of a GaPSC-approved or state-approved out-of-state educator preparation program to include all GaPSC requirements such as attempting all assessments required for state certification.

(an) Regional Accreditation: Regional accreditation is conducted by an accrediting organization that develops evaluation criteria and conducts peer evaluations to assess whether or not those criteria are met. Six (6) regional accreditors operate in the United States to conduct educational accreditation of public, private, for-profit, and not-for-profit schools, colleges, and universities in their regions. The Southern Association of Colleges and Schools (SACS) is the regional accreditor for the southern region. The SACS accrediting organization for P-12 schools is the Council on Accreditation and School Improvement (SACSCASI), also known as Cognia. The SACS accrediting organization for institutes of higher education is the Commission on Colleges (SACSCOC).

(ao) Specialized Accreditation: Specialized accrediting organizations operate throughout the country to review programs and some single-purpose institutions. Like national and regional accreditors, specialized accreditation organizations develop evaluation criteria and conduct peer evaluations to assess whether or not those criteria are met.

(ap) Specialized Professional Association (SPA): A constituent member of CAEP representing a particular disciplinary area that develops standards for the approval of educator preparation programs in that area and reviews programs for compliance with those standards.

(aq) Substantive Change Procedure: Process used for EPPs to submit changes that are considered significant, including additional levels of program offerings and changes to key assessments or leadership personnel.

(ar) Supervisor: An individual involved in the oversight and evaluation of educator preparation candidates during field and clinical experiences. In most cases one or more individuals are involved in the formal supervision of clinical experiences-a supervisor employed by the EPP and one or more supervisors employed by the B/P-12 site hosting a pre-service educator. The term *Faculty Supervisor* refers to the employee of the EPP and the term *B/P-12 Supervisor* (sometimes referred to as Mentor Teacher or Cooperating Teacher) refers to the school-based employee who hosts a pre-service educator for the culminating residency or internship.

(as) Technology Literacy: Using technology as a tool to research, organize, evaluate, and communicate information and understanding the ethical and legal issues surrounding the access and use of information.

(at) Traditional Preparation Program: A credit-bearing program designed for the preparation of educators offered by an institution of higher education.

(au) Year-long Residency: An extended clinical practice lasting the entire length of the B/P-12 school year, in the same school, in which candidates have more time to practice teaching skills with students under the close guidance of experienced and effective B/P-12 teachers licensed in the content area the candidate is preparing to teach. Candidates fully participate in the school as a member of the faculty, including faculty meetings, parent conferences, and professional learning activities spanning, if feasible, the beginning (e.g., pre-planning) and ending (post-planning) of the academic year. (Candidates may participate in post-planning at the end of the junior year if it is not possible for them to participate at the end of the senior year). These extended residencies also include supervision and mentoring by a representative of the preparation program who, along with the B/P-12 supervisor, ensures the candidate is ready for program completion and is eligible for state certification.

(3) **GENERAL REQUIREMENTS APPLICABLE TO ALL EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.**

(a) Authorization for the establishment of Georgia Educator Preparation Providers (EPPs).

1. The following types of organizations administratively based in the state of Georgia (as determined by the location of the office of the President or the single highest ranking executive officer of the institution/agency/organization) are eligible to seek GaPSC approval as an EPP for the purpose of preparing educators: Regionally accredited institutions of higher education; regionally accredited local units of administration with student enrollment over 30,000; Regional Educational Service Agencies (RESAs); and other education service organizations.

2. Out-of-state organizations that are Accredited without conditions or probation by the Council for the Accreditation of Educator Preparation (CAEP) and that are approved without conditions or probation by the state in which the organization is administratively based are eligible to seek GaPSC approval to offer, through a branch or satellite campus and/or by online delivery, non-credit-bearing certification-only programs leading to initial teacher certification. Out-of-state program providers offering credit-bearing and/or degree-granting programs are not eligible for GaPSC approval. Once approved by GaPSC, an out-of-state organization must maintain CAEP Accreditation and home state approval in good standing (without conditions or probation) to continue qualifying for GaPSC approval.

(b) Accreditation of Institutions/Agencies with an Educator Preparation Provider (EPP).

1. Institutions of higher education with a college, school, department or other entity that is a GaPSC-approved EPP shall be fully accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), at the level(s) of degree(s) granted by the institution. The institution shall submit program(s) for GaPSC approval corresponding to the appropriate level of accreditation and in a field recognized for certification by the GaPSC. If an institution has submitted an application for change in degree level to a GaPSC-accepted regional accreditation agency, and is seeking Developmental Approval of a program(s) at the proposed new degree level by the GaPSC, the institution must be regionally accredited at the new degree level prior to approval review by the GaPSC. See GaPSC Rule 505-2-.31 GaPSC-ACCEPTED ACCREDITATION FOR CERTIFICATION PURPOSES.

2. Local education agencies, RESAs, or other approved, non-IHE providers shall admit candidates who hold degrees from a GaPSC-accepted accredited institution of higher education appropriate for the certificate sought. GaPSC-approved EPPs offering Career Technical and Agricultural Education (CTAE) programs, including GaTAPP providers, may admit individuals who do not hold post-secondary degrees who are seeking CTAE certification in certain fields (see GaPSC Rule 505-3-.05 GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP). See GaPSC Rule 505-2-.31 GaPSC-ACCEPTED ACCREDITATION FOR CERTIFICATION PURPOSES for a list of acceptable accrediting agencies.

(c) GaPSC Approval of Educator Preparation Providers (EPPs).

1. An EPP and/or program(s) shall be approved by its governing board prior to seeking GaPSC approval for the first time (Developmental Approval). Once an EPP is approved by GaPSC, subsequent submission of programs for approval may be made as long as governing board approval is in process and completed 45 days prior to the formative portion of the GaPSC program approval review.

2. GaPSC approval standards for EPPs and programs shall at a minimum be adapted from the most recent version of the standards of the Council for the Accreditation of Educator Preparation (CAEP).

3. EPPs administratively based in the state of Georgia for which GaPSC has regulatory authority may choose to seek and/or maintain CAEP accreditation. If the accreditation visit was conducted jointly by GaPSC and CAEP, the GaPSC will accept CAEP accreditation of an EPP and the EPP shall be recognized as approved by GaPSC until the end of the seven (7)-year approval cycle, or for a shorter period of time if, during the seven (7)-year cycle GaPSC action is necessitated by persistently low (Low Performing) status or non-compliance with GaPSC rules. If CAEP accreditation of the EPP is delayed, denied, or revoked, GaPSC will render an EPP approval decision. If the accreditation visit is conducted solely by CAEP, GaPSC approval of the EPP will be based upon the implementation of the state approval process and a final EPP approval decision will be rendered by the Georgia Professional Standards Commission. Program approval is contingent upon EPP approval.

4. LUAs, qualifying organizations (see paragraph (3) (a) 1 and 2), and IHEs seeking GaPSC approval as an EPP shall follow all applicable GaPSC policies and procedures to include the EPP Readiness Framework to determine eligibility for a review, approval review requirements, post review requirements, Commission decisions, public disclosure policy, and annual reporting procedures. In order to maintain approval status, all GaPSC-approved EPPs must maintain regional or GaPSC-accepted accreditation and must comply with all applicable GaPSC rules and policies including, but not limited to, those regarding Preparation Program Effectiveness Measures annual reporting, and data submission requirements. Failure by GaPSC-approved EPP to fully comply with GaPSC Educator Preparation, Certification, and Ethics Rules, Commission approval decisions, or agency procedures and/or requirements may result in changes in approval status up to and including revocation of approval. Failure to comply with federal reporting requirements may result in fines.

5. EPPs must have completed the GaPSC approval process and be approved by the GaPSC before candidates are enrolled in educator preparation programs and begin taking classes.

6. For EPPs offering initial preparation programs leading to a Teaching (T), Leadership (L), or Service (S) certificate, GaPSC EPP approval cycles shall include Developmental Approval valid for three (3) years and Continuing Approval valid for seven (7) years. The Developmental Approval Review is used to determine if a new EPP has the capacity to meet state standards and it is followed, in three (3) to four (4) years, by a First Continuing Review to determine if the EPP has evidence of meeting state standards. Following the First Continuing Review, the GaPSC will conduct Continuing Reviews of the EPP and all preparation programs at seven (7) year intervals. For IHEs seeking to maintain CAEP accreditation, the state Continuing Review will be scheduled such that the state review will be completed and the resulting GaPSC approval decision will be rendered prior to the beginning of the CAEP site visit. GaPSC will require a Focused Approval Review or a Probationary Review of an approved or accredited EPP and/or its educator preparation programs in fewer than seven (7) years if annual performance data indicate standards are not being met, or if a previous approval review indicates pervasive problems exist that limit provider capacity to offer programs capable of meeting standards and requirements specified in GaPSC educator preparation and certification rules, or if GaPSC staff determine the EPP is out of compliance with state rules.

7. For EPPs offering only endorsement programs, GaPSC EPP approval cycles shall include Developmental Approval valid for seven (7) years and Continuing Approval every seven (7) years thereafter.

8. GaPSC-approved EPPs shall comply with all GaPSC reporting requirements, to include the timely submission of data in all appropriate candidate-level, program-level, and EPP-level reporting systems (e.g., Traditional Program Management System [TPMS], Non-Traditional Reporting System [NTRS], Provider Reporting System [PRS], and federal annual reports on the performance of the EPP and all educator preparation programs). Out-of-state EPPs offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools shall comply with all applicable GaPSC reporting requirements, to include the submission of data in TPMS and other systems that may become applicable. EPPs shall report according to the schedules and timelines below and shall accurately provide all data elements. Failure to report on time and accurately may negatively impact EPP approval status. See GaPSC Rule 505-3-.02 EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(i) Enrollments. GaPSC-approved EPPs and out-of-state EPPs with candidates completing field and clinical experiences in Georgia schools shall, through the appropriate GaPSC reporting system (i.e., Non-Traditional Reporting System [NTRS] or Traditional Program Management System [TPMS]), enter all applicable data for candidates enrolled in Teaching (T), Leadership (L), and Service (S) field programs leading to initial Georgia certification, and in Endorsement programs according to the following schedule:

(I) October 31: The deadline for entering all candidates enrolled in current academic year summer and fall semesters.

(II) March 31: The deadline for entering all candidates enrolled in current academic year spring semester.

(ii) Clinical Practice Beginning Date and Cooperating Teacher GA Cert ID. GaPSC-approved EPPs and out-of-state EPPs with candidates completing clinical experiences in Georgia schools shall enter in TPMS the beginning date of Clinical practice and cooperating teacher GA Cert ID according to the following schedule:

(I) September 30: The deadline for entering Clinical Practice Begin Date and Cooperating Teacher GA Cert ID for all candidates, including those who are employed as a teacher of record, beginning supervised clinical practice (student teaching/internship/residency) at the beginning of the B/P-12 academic year.

(II) February 28: The deadline for entering Clinical Practice Begin Date and Cooperating Teacher GA Cert ID for all candidates, including those who are employed as a teacher of record, beginning supervised clinical practice (student teaching/internship/residency) at the mid-point of the B/P-12 academic year.

(III) For any candidates beginning clinical practice at other times (e.g., not at the beginning or mid-point of the academic year), the Clinical Practice Begin Date and Cooperating Teacher GA Cert ID must be entered no later than 30 days after the first day of the supervised clinical practice (student teaching/internship/residency).

(iii) Completions and Withdrawals. GaPSC-approved EPPs and out-of-state EPPs with candidates completing field and clinical experiences in Georgia schools shall, through the appropriate GaPSC reporting system (i.e., Non-Traditional Reporting System [NTRS] or Traditional Program Management System [TPMS]), enter all applicable data related to candidate completions and withdrawals within sixty (60) days of the event.

(iv) For federal, Title II, reporting purposes, October 7 is the deadline for entering all initial teaching candidates who were enrolled, withdrawn, or completed a GaPSC-approved program during the prior reporting year (September 1 - August 31).

9. GaPSC-approved EPPs shall notify all enrolled candidates when EPP and/or program approval is revoked or when approval status is changed to Probation. Notification must be made within sixty (60) days after such a GaPSC decision is granted, in written form via letter or e-mail, and a copy must be provided to GaPSC by the EPP head. This notification must clearly describe the impact of the approval status change on candidates and the options available to them. EPPs must maintain records of candidates' acknowledgement of receipt of the notification.

(d) GaPSC Approval of Educator Preparation Programs.

1. Educator preparation programs leading to Georgia educator certification shall be offered only by GaPSC-approved EPPs. All initial preparation programs and endorsement programs must be approved by the GaPSC.

2. GaPSC-approved EPPs seeking approval to add new initial preparation programs may submit the programs for GaPSC approval prior to receiving governing board approval, as long as governing board approval is granted forty-five (45) days prior to the formative portion of the approval review.

3. GaPSC-approved EPPs seeking approval for preparation programs leading to Georgia educator certification shall follow all applicable GaPSC program approval policies and procedures in effect at the time of the requested approval and shall comply with revised policies in accordance with timelines published by the GaPSC.

4. Initial educator preparation programs and endorsement programs shall be approved by the GaPSC before candidates are enrolled and begin program coursework.

5. GaPSC-approved EPPs, in conjunction with preparations for an EPP approval review, shall submit program reports conforming to GaPSC program standards and program review requirements for approval. Programs may also be submitted to GaPSC-accepted Specialized Professional Associations or program accrediting agencies for national recognition or accreditation. If the highest level of recognition or accreditation, in most cases National Recognition or Accreditation, is granted for a program, state approval procedures will be reduced to remove duplication and will include only those components necessary to ensure Georgia-specific standards and requirements are met. Programs submitted for national recognition or accreditation that are not granted National Recognition (e.g., granted Recognition with Conditions or any level of recognition lower than National Recognition) or Accreditation must comply with all applicable GaPSC program approval review requirements. See the guidance document accompanying this rule for the list of GaPSC-accepted SPAs and program accrediting agencies.

6. GaPSC approval of initial preparation programs in Teaching (T), Leadership (L), and Service (S) fields shall include a Developmental Approval Review to determine if the new educator preparation program has the capacity to meet state standards. Developmental Approval is valid for three (3) to four (4) years and is followed by a First Continuing Review to determine if the educator preparation program has evidence of meeting state standards. Following the First Continuing Review, the GaPSC will conduct Continuing Reviews of the educator preparation programs in conjunction with the EPP Continuing Review at seven (7) year intervals.

7. GaPSC approval of new endorsement programs shall include an Administrative Approval process to determine if the new program has the capacity to meet state standards followed by a Continuing Approval Review of the program in conjunction with the next scheduled EPP Continuing Review, and Continuing Reviews every seven (7) years thereafter.

8. The GaPSC will require a Focused Approval Review or a Probationary Review of an approved educator preparation program in fewer than seven (7) years if a previous approval review indicates pervasive problems exist limiting program capacity to meet standards and requirements specified in GaPSC educator preparation and certification rules.

9. GaPSC-approved EPPs shall submit program(s) for GaPSC approval corresponding to the appropriate level of preparation (initial or endorsement) and in a certification field authorized in GaPSC Certification Rules. Although advanced/degree-only preparation programs are neither reviewed nor approved by GaPSC, those accepted by GaPSC for the purposes of certificate level upgrades must be listed in the GaPSC Certificate Upgrade Advisor. See GaPSC Certification Rule 505-2-.33 CERTIFICATE UPGRADE.

10. GaPSC-approved EPPs shall make program decisions based upon program purpose, institutional mission, supply and demand data, and B/P-12 partner needs, and shall attempt to include a variety of options for program completion (e.g., multiple delivery models, degree options, and individualized programs; additional examples are provided in the guidance document accompanying this rule).

11. Ongoing GaPSC approval of educator preparation programs is contingent upon EPP approval status, the performance of the EPP and its programs, and compliance with GaPSC rules and reporting requirements. (See GaPSC Educator Preparation Rule 505-3-.02 EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.)

12. Out-of-state EPPs offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools shall ensure their candidates hold the Georgia Pre-Service Certificate prior to beginning any field and clinical experiences in any Georgia B/P-12 school required during program enrollment. The requirements for this certificate are outlined in GaPSC Rule 505-2-.03 PRE-SERVICE TEACHING CERTIFICATE. Out-of-state EPPs preparing candidates for Georgia certification who are employed as a teacher of record while enrolled in their programs shall ensure their candidates hold the appropriate Georgia Teaching (T) certificate (e.g., Provisional Certificate, Permit, or Waiver Certificate). Out-of-state EPPs must also ensure their candidates meet all program assessment requirements outlined in this rule in paragraphs (3) (e) (6); the requirements specified in GaPSC Certification Rule 505-2-.22 CERTIFICATION BY STATE-APPROVED PROGRAM, paragraph (2) (d) 2; and the requirements outlined in GaPSC Certification Rule 505-2-.04 INDUCTION CERTIFICATE, including the required amount of time spent in the culminating clinical experience (i.e., student teaching or internship occurring after, and not including, field experiences), and passing the ethics and content assessments.

13. Out-of-state institutions offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools are subject to all applicable data collection requirements referenced in paragraph (3) (c) 8. and described in GaPSC Rule 505-3-.02 EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(e) Educator Preparation Program Requirements.

1. Admission Requirements.

(i) The Georgia Educator Ethics Assessment must be passed prior to enrollment in a traditional or non-traditional initial educator preparation program and to qualify for the Pre-Service Teaching Certificate (see GaPSC Rule 505-2-.03 PRE-SERVICE TEACHING CERTIFICATE).

(ii) GaPSC-approved EPPs shall ensure candidates admitted to initial preparation programs at the post-baccalaureate level have attained appropriate depth and breadth in both general and content studies, with a minimum of a bachelor's degree from a GaPSC-accepted accredited institution. Candidates seeking certification in Career Technical and Agricultural Education (CTAE) fields must hold a high school diploma or GED, or an associate's degree or higher in the field of certification sought, as delineated in applicable GaPSC Certification Rules. CTAE candidates admitted with a high school diploma or GED must complete both the associate's degree and the initial teacher preparation program to earn a professional type certificate. The preparation program must be completed within three years; an additional year is allowable if needed to complete the associate's degree.

2. Pre-service Certificate Request.

(i) GaPSC-approved EPPs must ensure all candidates admitted to traditional initial teacher preparation programs at the baccalaureate level or higher request the Pre-Service Certificate before beginning field and clinical experiences in Georgia B/P-12 schools, except for candidates who hold a valid Georgia Professional, Provisional, Permit, or Waiver teaching certificate, and are currently employed in a Georgia school. Out-of-state EPPs must ensure candidates enrolled in initial teacher preparation programs and completing field and clinical experiences in Georgia B/P-12 schools request the Pre-Service Certificate prior to beginning field and clinical experiences, except for candidates who hold a valid Georgia Professional, Provisional, Permit, or Waiver teaching certificate, and are currently employed in a Georgia school; such candidates must be enrolled in programs leading to a certification field issued by the GaPSC. See GaPSC Rule 505-2-.03 PRE-SERVICE TEACHING CERTIFICATE for Pre-Service certification requirements.

(ii) Successful completion of a criminal record check is required to earn the Pre-Service Certificate. See GaPSC Certification Rule 505-2-.03 PRE-SERVICE TEACHING CERTIFICATE.

3. Candidate Monitoring and Support. EPPs shall monitor each cohort aggregate GPA for changes, document any point at which the cohort GPA is less than 3.0, disaggregate the data by race and ethnicity and any other mission-related categories, analyze the data to identify specific needs for candidate support, and develop and implement plans to provide the needed supports.

4. Program Content and Curriculum Requirements.

(i) Preparation programs for educators prepared as teachers shall incorporate the latest version of the Teacher Assessment on Performance Standards (TAPS) published by the Georgia Department of Education. Preparation programs for educators prepared as leaders shall incorporate these standards into those courses related to instructional leadership to assure leadership candidates understand the TAPS standards as they apply to the preparation and continued growth and development of teachers.

(ii) GaPSC-approved EPPs shall require a major or equivalent in all middle grades, secondary, and in P-12 fields where appropriate such as certain Special Education programs, which require fifteen (15) semester hours of academic content. The equivalent of a major is defined for middle grades (4-8) as a minimum of fifteen (15) semester hours of coursework in the content field and for secondary (6-12) as a minimum of twenty-one (21) semester hours of coursework in the content field. Content field coursework must meet expected levels of depth and breadth in the content area and shall address the program content standards required for the field as delineated in GaPSC Educator Preparation Rules 505-3-.19 through 505-3-.53.

(iii) GaPSC-approved EPPs shall ensure candidates in all initial preparation programs complete a sequence of courses and/or experiences in professional studies that includes knowledge about and application of professional ethics and behavior appropriate for school and community, ethical decision-making skills, and specific knowledge about the Georgia Code of Ethics for Educators. Candidates are expected to demonstrate knowledge and dispositions reflective of professional ethics and the standards and requirements delineated in the Georgia Code of Ethics for Educators. In addition to candidates meeting the state-approved ethics assessment requirement in (e) 1. (i) and (e) 6. (iii) (see GaPSC Rule 505-2-.26 CERTIFICATION AND LICENSURE ASSESSMENTS), GaPSC-approved EPPs shall assess candidates' knowledge of professional ethics and the Georgia Code of Ethics for Educators either separately or in conjunction with assessments of dispositions.

(iv) GaPSC-approved EPPs shall ensure candidates are prepared to implement Georgia state mandated standards (i.e., Georgia Performance Standards [GPS], Georgia Standards of Excellence, College and Career Ready Standards, and all other GaDOE-approved standards) in each relevant content area. Within the context of core knowledge instruction, providers shall ensure candidates are prepared to develop and deliver instructional plans that incorporate critical thinking, problem solving, communication skills, and opportunities for student collaboration. EPPs shall ensure candidates are also prepared to implement any Georgia mandated educator evaluation system. EPPs shall ensure educational leadership candidates understand all state standards and have the knowledge and skills necessary to lead successful implementation of standards in schools.

(v) GaPSC-approved EPPs shall require candidates seeking teacher certification to demonstrate knowledge of the definitions and characteristics of dyslexia and other related disorders; competence in the use of evidence-based instruction, structured multisensory approaches to teaching language and reading skills, and accommodations for students displaying characteristics of dyslexia and/or other related disorders; and competence in the use of a multi-tiered systems of support framework addressing reading, writing, mathematics, and behavior, including:

(I) Universal screening;

(II) Scientific, research-based interventions;

(III) Progress monitoring of the effectiveness of interventions on student performance;

(IV) Data-based decision making procedures related to determining intervention effectiveness on student performance and the need to continue, alter, or discontinue interventions or conduct further evaluation of student needs; and

(V) Application and implementation of response-to-intervention and dyslexia and other related disorders instructional practices in the classroom setting.

(vi) GaPSC-approved EPPs shall require candidates seeking certification to demonstrate satisfactory proficiency in computer and other technology applications and skills, and satisfactory proficiency in integrating Information, Media and Technology Literacy into curricula and instruction, including incorporating B/P-12 student use of technology, and to use technology effectively to collect, manage, and analyze data for the purpose of improving teaching and learning. This requirement may be met through content embedded in courses and experiences throughout the preparation program and through demonstration of knowledge and skills during field and clinical experiences. Candidates shall also demonstrate the specialized knowledge and skills necessary for effective teaching in a distance learning environment.

(vii) GaPSC-approved EPPs shall require candidates seeking certification in a Teaching (T) field, the field of Educational Leadership (L), or the Service (S) fields of Media Specialist and School Counseling to complete either five (5) or more quarter hours or three (3) or more semester hours of coursework in the identification and education of children who have special educational needs or the equivalent through a Georgia-approved professional learning program. This requirement may be met in a separate course, or content may be embedded in courses and experiences throughout the preparation program (see GaPSC Rule 505-2-.24 SPECIAL GEORGIA REQUIREMENTS). In addition, candidates in all fields must have a working knowledge of Georgia's framework for the identification of differentiated learning needs of students and how to implement multi-tiered structures of support addressing the range of learning needs.

(viii) GaPSC-approved EPPs shall ensure candidates seeking teacher certification demonstrate the appropriate level of competence in the teaching of reading, as described for each Teaching (T) field in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE.

(ix) GaPSC-approved EPPs offering endorsement programs shall ensure the programs are designed to result in candidates' expanded knowledge and skills in creating challenging learning experiences, supporting learner ownership and responsibility for learning, and in strengthening analysis and reflection on the impact of planning to reach rigorous curriculum goals, as specified in GaPSC Rules 505-3-.82 through 505-3-.115. Unless specified otherwise in GaPSC Rules 505-3-.82 through 505-3-.115, endorsement programs may be offered as stand-alone programs or embedded in initial preparation or degree-only programs. Embedded endorsement programs must include field experiences specifically for meeting endorsement standards and requirements, as well as any additional grade levels addressed by the endorsement. These field experiences must be in addition to those required for the initial preparation program. Although field experiences in specific grade bands are not required for endorsement programs, candidates must have opportunities to demonstrate the knowledge and skills delineated in endorsement standards in as many settings as necessary to demonstrate competence with children at all developmental levels addressed by the endorsement. In addition to field experience requirements, the GaPSC Continuing Approval process for embedded endorsement programs will require EPPs to provide evidence of meeting a minimum of one (1) of the following (2) options:

(I) Option 1: Additional Coursework. Endorsement programs are typically comprised of three (3) or four (4) courses (the equivalent of nine [9] or twelve [12] semester hours). To fully address the additional knowledge and skills delineated in endorsement standards, it may be necessary to add endorsement courses to a program of study.

(II) Option 2: Additional Assessments(s). Candidates' demonstration of endorsement program knowledge and skills must be assessed by either the initial preparation or advanced/degree-only program assessments or via additional assessment instruments specifically designed to address endorsement program content.

See the guidelines accompanying this rule for further clarification of expectations for endorsement programs.

(x) GaPSC-approved EPPs shall provide information to each candidate on Georgia's tiered certification structure, professional learning requirements, and employment options.

5. Requirements for Partnerships, and Field Experiences and Clinical Practice.

(i) Effective partnerships with B/P-12 schools and/or school districts are central to the preparation of educators. At a minimum, GaPSC-approved EPPs shall establish and maintain collaborative relationships with B/P-12 schools, which are formalized as partnerships and focused on continuous school improvement and student growth and learning through the preparation of candidates, support of induction phase educators, and professional development of B/P-20 educators. EPPs are encouraged to establish and sustain partnerships meeting higher levels of effectiveness, as described in the guidance document accompanying this rule.

(ii) GaPSC-approved EPPs shall require in all programs leading to initial certification in Teaching (T), Leadership (L), or Service (S) fields, and endorsement programs, field experiences that include organized and sequenced engagement of candidates in settings providing them with opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in all applicable institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration and including substantive work with B/P-12 students or B/P-12 personnel as appropriate depending upon the preparation program. Field experience placements and sequencing will vary depending upon the program. In non-traditional preparation programs, such as GaTAPP, field experiences occur outside candidates' classrooms with students with different learning needs and varied backgrounds in at least two settings during the clinical practice. Refer to the guidance document accompanying this rule for additional information related to field experiences and clinical practice.

(iii) GaPSC-approved EPPs shall ensure candidates complete supervised field experiences consistent with the grade levels of certification sought. For Birth Through Kindergarten programs, field experiences are required at three (3) age levels: ages 0 to 2, ages 3 to 4, and 5 (kindergarten). For Elementary Education programs (P-5), field experiences are required in three (3) grade levels: PK-K, 1-3, and 4-5. For middle grades education programs, field experiences are required in two (2) grade levels: 4-5 and 6-8. Programs leading to P-12 certification shall require field experiences in four (4) grade levels: PK-2, 3-5, 6-8, and 9-12; and secondary education programs (6-12) shall require field experiences in two (2) grade levels: 6-8 and 9-12.

(iv) GaPSC-approved EPPs shall ensure candidates complete supervised clinical practice (residency/internships) in the field of certification sought and only in fields for which the EPP has been approved by the GaPSC. Clinical practice for all fields must occur in regionally accredited public schools, charter schools approved by the Georgia State Charter School Commission, charter schools approved by the Georgia Department of Education, out-of-state charter schools approved by the state's charter schools commission or department of education, private schools accredited by a GaPSC-accepted accreditor, Department of Defense schools, or in international settings meeting accreditation criteria specified in GaPSC Rule 505-2-.31 GAPSC-ACCEPTED ACCREDITATION; VALIDATION OF NON-ACCREDITED DEGREES. Candidates in Birth Through Kindergarten programs may participate in residencies or internships in regionally accredited schools, in pre-schools or child care centers licensed by the Georgia Department of Early Care and Learning (DECAL, also known as Bright from the Start), Head Start, or in pre-schools accredited by USDOE- or CHEA-accepted accrediting agencies. Candidates of GaPSC-approved EPPs must meet all applicable Pre-Service Certificate requirements, regardless of clinical practice placement location. Clinical practice must be designed and implemented cooperatively with B/P-12 partners and candidates' experiences must allow them to demonstrate their developing effectiveness and positive impact on all students' learning and development. Although year-long residencies/internships as defined herein (see paragraph (2) (ax)) are recognized as most effective, teacher candidates must spend a minimum of one (1) full semester or the equivalent (500 hours) in residencies or internships. GaPSC preparation program rules for service and leadership fields may require more than one (1) full semester of clinical practice; see GaPSC Rules 505-3-.63 through 505-3-.81.

(v) B/P-12 educators who supervise candidates (mentors, cooperating teachers, educational leadership coaches/mentors, Service (S) field supervisors) in residencies or internships at Georgia schools shall meet the following requirements:

(I) B/P-12 supervisors shall have a minimum of three (3) years of experience in a Teaching (T), Leadership (L), or Service (S) role; and

(II) If the residency or internship is completed at a Georgia school requiring GaPSC certification, the B/P-12 supervisor shall hold a renewable Professional Certificate in the content area of the certification sought by the candidate. In cases where a B/P-12 supervisor holding certification in the content area is not available, the candidate may be placed with a professionally certified educator in a related field of certification (related fields are defined in the guidance document accompanying this rule). For Teaching (T) field candidates who are employed as the full-time teacher of record while completing residency or internship in a school requiring GaPSC certification, the B/P-12 supervisor must hold Professional Certification.

(III) If the residency or internship is completed at a Georgia school that has the legal authority to waive certification, the B/P-12 supervisor must hold a Clearance Certificate. See GaPSC Certification Rule 505-2-.42 CLEARANCE CERTIFICATE.

(IV) The Partnership Agreement shall describe training, evaluation, and ongoing support for B/P-12 supervisors and shall clearly delineate qualifications and selection criteria mutually agreed upon by the EPP and B/P-12 partner. The Partnership Agreement shall also include a principal or employer attestation assuring educators selected for supervision of residencies/internships are the best qualified and have received an annual summative performance evaluation rating of proficient/satisfactory or higher for the most recent year of experience.

(V) Certificate IDs (to include Clearance Certificate IDs as applicable) of B/P-12 supervisors must be entered in TPMS or NTRS, along with the Clinical Practice beginning date, by the deadlines specified above in paragraph (3) (c) 8. (ii).

It is the responsibility of GaPSC-approved EPPs and out-of-state EPPs who place candidates seeking Georgia certification in Georgia schools for field and clinical experiences to ensure these requirements are met.

6. Assessment Requirements.

(i) State-approved Content Assessment.

(I) Eligibility: EPPs shall determine traditional program candidates' readiness for the state-approved content assessment and shall authorize candidates for testing only in their field(s) of initial preparation and only at the appropriate point in the preparation program.

(II) Attempts: GaPSC-approved EPPs shall require all enrolled candidates to attempt the state-approved content assessment (resulting in an official score on all parts of the assessment) within the content assessment window of time beginning on a date determined by the EPP after program admission and ending on August 31 in the year of program completion, and at least once prior to program completion. Candidates enrolled in a traditional (IHE-based), initial preparation program leading to Middle Grades certification must attempt the state-approved content assessment in each of the two (2) areas of concentration, as required for program completion and receive an official score on each assessment prior to program completion. For more information on Middle Grades areas of concentration, see GaPSC Rule 505-3-.19 MIDDLE GRADES EDUCATION PROGRAM.

(III) Passing Score: A passing score on all applicable state-approved content assessments is not required for program completion, except in the GaTAPP program (See GaPSC Rule 505-3-.05 GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY [GaTAPP]); however, a passing score is required for state certification. See GaPSC Rule 505-2-.26 CERTIFICATION AND LICENSURE ASSESSMENTS, and GaPSC Rule 505-2-.08 PROVISIONAL CERTIFICATE.

(ii) State-approved Performance-based Assessments.

(I) Eligibility: EPPs shall determine initial preparation program candidates' readiness for the state-approved performance-based assessments in state-approved Teacher Leadership programs and Educational Leadership Tier II programs and shall authorize candidates for testing only in their field(s) of preparation and only at the appropriate point in the preparation program.

(II) Attempts: GaPSC-approved EPPs shall require candidates enrolled in state-approved Educational Leadership Tier II preparation programs to attempt the state-approved performance-based assessment (resulting in an official score on all tasks within the assessment) prior to program completion.

(III) Passing Score: A passing score on all applicable state-approved performance-based assessments is not required for program completion; however, a passing score is required for state certification. See GaPSC Rule 505-2-.26 CERTIFICATION AND LICENSURE ASSESSMENTS, 505-2-.153 EDUCATIONAL LEADERSHIP CERTIFICATE, and 505-2-.149 TEACHER LEADERSHIP.

(iii) State-approved Educator Ethics Assessment.

(I) Program Admission:

A. Candidates who enroll in initial teacher preparation programs must pass the Georgia Educator Ethics Assessment prior to beginning program coursework. Educators who hold a valid Induction, Professional, Lead Professional, or Advanced Professional Certificate are not required to pass the assessment if they enroll in an initial preparation program for the purpose of adding a new Teaching (T) field.

B. Candidates who enroll in any GaPSC-approved Educational Leadership program must pass the Georgia Ethics for Educational Leadership Assessment prior to beginning program coursework.

7. Program Completion Requirements.

(i) GaPSC-approved EPPs shall require candidates completing initial preparation programs to have a 2.5 or higher overall GPA on a 4.0 scale. Non-traditional program providers do not issue grades and therefore are not subject to this requirement; however, non-traditional EPPs must verify all program requirements are met as specified in GaPSC Rule 505-3-.05 GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(ii) GaPSC-approved EPPs may accept professional learning, prior coursework, or documented experience the EPP deems relevant to the program of study in lieu of requiring candidates to repeat the same or similar coursework for credit.

(iii) GaPSC-approved EPPs shall provide, at appropriate intervals, information to candidates about instructional policies and requirements needed for completing educator preparation programs, including all requirements necessary to meet each candidate's certification objective(s), the availability of EPP services such as tutoring services, social and psychological counseling, and job placement and market needs based on available supply and demand data.

(iv) GaPSC-approved EPPs shall provide performance data to candidates that they may use to inform their individual professional learning needs during induction.

(f) Verification of Program Completion and Reporting of Ethics Violations.

1. GaPSC-approved EPPs shall designate an official who will provide evidence to the GaPSC that program completers have met the requirements of approved programs, including all applicable Special Georgia Requirements, and thereby qualify for state certification.

2. GaPSC-approved EPPs shall submit, in a timely manner, any documentation required of them by the GaPSC Certification Division for program completers seeking GaPSC certification.

3. GaPSC-approved EPPs shall ensure program completers meet all requirements of the approved program in effect at the time the candidate was officially admitted to the program and any additional program requirements with effective dates after program admission, as described elsewhere in this rule.

4. Should program completers return to their GaPSC-approved EPP more than five (5) years after completion to request verification of program completion, providers shall require those individuals to meet current preparation requirements to assure up-to-date knowledge in the field of certification sought.

5. GaPSC-approved EPPs shall immediately report to GaPSC any violations of the Georgia Code of Ethics for Educators by enrolled candidates. Failure to report ethical violations may result in changes in approval status that could include revocation of approval. Out-of-state EPPs placing candidates in Georgia schools for field and clinical experiences are expected to collaborate with Georgia B/P-12 partners to immediately report ethics violations. Procedures for reporting ethical violations are addressed in the guidance document accompanying this rule.

Cite as Ga. Comp. R. & Regs. R. 505-3-.01

AUTHORITY: O.C.G.A. § 20-2-200**.**

HISTORY: Original Rule entitled "Procedures and Standards for Approving Professional Education Units and Programs Preparing Education Personnel" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: F. June 29, 1994; eff. July 19, 1994.

Repealed: New Rule entitled "Requirements and Standards for Approving Professional Education Units Preparing Education Personnel" adopted. F. June 19, 1995; eff. July 9, 1995.

Amended: F. Aug. 13, 1997; eff. Sept. 2, 1997.

Repealed: New Rule entitled "Requirements and Standards for Approving Professional Education Units and Programs Preparing Education Personnel" adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

Amended: F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Repealed: New Rule entitled "Requirements and Standards for Approving Professional Education Units and Educator Preparation Programs" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Amended: F. Apr. 20, 2009; eff. May 15, 2009, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 7, 2010; eff. July 15, 2010, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 26, 2012; eff. Jan. 15, 2013

Repealed: New Rule entitled "Requirements and Standards for Approving Educator Preparation Providers and Educator Preparation Programs" adopted. F. Apr. 24, 2014; eff. May 15, 2014, As Specified by the Agency.

Amended: F. June 13, 2014; eff. July 3, 2014.

Amended: F. Oct. 7, 2014; eff. Oct. 15, 2014, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Sept. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

Amended: F. Dec. 20, 2017; eff. Jan. 15, 2018, as specified by the Agency.

Amended: F. Oct. 11, 2018; eff. Oct. 15, 2018, as specified by the Agency.

Amended: F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Apr. 7, 2020; eff. Apr. 15, 2020, as specified by the Agency.

Note: Correction of non-substantive typographical error in subparagraph (3)(e)4.(iv), *"... see GaPSC Rules 505-3-.63 through 505-3-.8."* corrected to *"... see GaPSC Rules 505-3-.63 through 505-3-.81."*, as requested by the Agency. Effective Apr. 15, 2020.

Amended: F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

Amended: F. Sept. 24, 2020; eff. Oct. 15, 2020, as specified by the Agency.

Amended: F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

Amended: F. Dec. 14, 2021; eff. Jan. 1, 2022, as specified by the Agency.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Amended: F. May 30, 2023; eff. June 15, 2023, as specified by the Agency.

Amended: F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

Note: Correction of non-substantive typographical error in subparagraph (2)(y), *"... see GaPSC Rule 505-2-04 INDUCTION CERTIFICATE."* corrected to *"... see GaPSC Rule 505-2-.04 INDUCTION CERTIFICATE."*, as requested by the Agency. Effective Feb. 19, 2024.

Amended: F. May 20, 2024; eff. June 15, 2024, as specified by the Agency.

505-3-.51 READING EDUCATION PROGRAM

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals to serve as teachers of reading and related literacy topics in grades P-12, in accordance with GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE, and supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS. Reading Education programs will be classified as teaching (T) field programs and may be offered for initial certification in the field at the Master's degree level or higher, or as a certification-only program for those holding an advanced degree. All programs leading to initial certification in this field, regardless of degree level, must be approved by the GaPSC.

(2) **Admission Requirements.**

(a) A valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate is required for program admission.

(3) **Program Standards and Requirements.**

(a) To receive approval, GaPSC-approved educator preparation providers shall offer a preparation program at the Master's degree or higher level described in program planning forms, catalogs, and syllabi based on the science of reading and addressing the following standards adapted from those published by the International Literacy Association (2017):

1. Foundational Knowledge. Candidates demonstrate knowledge of major theoretical, conceptual, historical, and evidence-based foundations of literacy and language, and the ways in which they interrelate as indicated by the following:

(i) Candidates demonstrate knowledge of the major theoretical, conceptual, historical, and evidence-based components of reading development (e.g., concepts of print, phonological awareness, phonics, word recognition, fluency, vocabulary, comprehension) throughout the grades and their relationship with other aspects of literacy;

(ii) Candidates demonstrate knowledge of the major theoretical, conceptual, historical, and evidence-based aspects of writing development, writing processes (e.g., revising, audience), and foundational skills (e.g., spelling, sentence construction, word processing) and their relationships with other aspects of literacy; and

(iii) Candidates demonstrate knowledge of theoretical, conceptual, historical, and evidence-based components of language (e.g., language acquisition, structure of language, conventions of standard English, vocabulary acquisition and use, speaking, listening, viewing, visually representing) and its relationships with other aspects of literacy.

2. Curriculum and Instruction. Candidates use foundational knowledge to design literacy curricula to meet the needs of learners, especially those who experience difficulty with literacy; design, implement, and evaluate small-group and individual evidence-based literacy instruction for learners; and collaborate with other teachers to implement effective literacy practices as indicated by the following:

(i) Candidates use foundational knowledge to design, select, critique, adapt, and evaluate evidence-based literacy curricula that meet the needs of all learners;

(ii) Candidates design, select, adapt, teach and evaluate evidence-based instructional approaches, using both informational and narrative texts, to meet the literacy needs of whole class and groups of students in the academic disciplines and other subject areas, and when learning to read, write, listen, speak, view or visually represent;

(iii) Candidates select, adapt, teach, and evaluate evidence-based supplemental and intervention approaches and programs, and such instruction is explicit, intense, and provides adequate scaffolding to meet the literacy needs of individual and small groups of students, especially those who experience difficulty with reading and writing; and

(iv) Candidates collaborate with school-based educators in developing, implementing, and evaluating literacy instructional practices and curriculum.

3. Assessment and Evaluation**.** Candidates understand, select, and use valid, reliable, fair, and appropriate assessment tools to screen, diagnose, and measure student literacy achievement; inform instruction and evaluate interventions; assist other teachers in their understanding and use of assessment results; and advocate for appropriate literacy practices to relevant stakeholders as indicated by the following:

(i) Candidates understand the purposes, attributes, formats, strengths/limitations (including validity, reliability, inherent language, dialect), and influences of various types of tools in a comprehensive literacy and language assessment system, and apply that knowledge to using assessment tools;

(ii) Candidates collaborate with colleagues to administer, interpret, and use data for decision making about student assessment, instruction, intervention, and evaluation for individual and groups of students;

(iii) Candidates participate in and lead professional learning experiences to assist other teachers in selecting, administering, analyzing, interpreting assessments, and using results for instructional decision making in classrooms and schools; and

(iv) Candidates, using both written and oral communication, explain assessment results, and advocate for appropriate literacy and language practices to a variety of stakeholders, including students, administrators, teachers, other educators, and parents/guardians.

4. Learners and the Literacy Environment. Candidates meet the developmental needs of all learners and collaborate with school personnel to use a variety of print and digital materials to engage and motivate all learners; integrate digital technologies in appropriate, safe, and effective ways; and foster a positive climate that supports a literacy-rich learning environment as indicated by the following:

(i) Candidates, in consultation with families and colleagues, meet the developmental needs of all learners (e.g., English learners, those with difficulties learning to read, the gifted), taking into consideration physical, intellectual, and other learner differences;

(ii) Candidates provide opportunities for student choice and engagement with a variety of print and digital materials to engage and motivate all learners;

(iii) Candidates integrate digital technologies into their literacy instruction in appropriate, safe, and effective ways and assist colleagues in these efforts; and

(iv) Candidates facilitate efforts to foster a positive climate that supports the physical and social literacy-rich learning environment, including knowledge of routines, grouping structures, and social interactions.

5. Professional Learning and Leadership. Candidates demonstrate the ability to be reflective literacy professionals, who apply their knowledge of adult learning to work collaboratively with colleagues; demonstrate their leadership and facilitation skills; and advocate on behalf of teachers, students, families, and communities as indicated by the following:

(i) Candidates reflect on their professional practices, belong to professional organizations, and are critical consumers of research, policy, and practice;

(ii) Candidates use their knowledge of adult learning to engage in collaborative decision making with colleagues to design, align, and assess instructional practices and interventions within and across classrooms;

(iii) Candidates develop, refine, and demonstrate leadership and facilitation skills when working with individuals and groups; and

(iv) Candidates consult with and advocate on behalf of teachers, students, families, and communities for effective literacy practices and policies.

6. Practicum/Clinical Experiences. Candidates complete supervised, integrated, extended practice/clinical experiences that include intervention work with students and working with their peers and experienced colleagues; practice includes ongoing experiences in school-based setting(s); and supervision includes observation and ongoing feedback by qualified supervisors as indicated by the following:

(i) Candidates work with individual and small groups of students at various grade levels to assess students' literacy strengths and needs, develop literacy intervention plans, implement instructional plans, create supportive literacy learning environments, and assess impact on student learning. Settings may include a candidate's own classroom, literacy clinic, other school, or community settings;

(ii) Candidates collaborate with and coach peers and experienced colleagues to develop, reflect on, and study their own and others' teaching practices;

(iii) Candidates have ongoing opportunities for authentic, school-based practicum experiences; and

(iv) Candidates receive supervision, including observation (in-person, computer assisted, or video analysis) and ongoing feedback during their practicum/clinical experiences by supervisors who understand literacy processes, have literacy content knowledge, understand literacy assessment and evidence-based instructional strategies, and, preferably, have experience as reading/literacy specialists.

Cite as Ga. Comp. R. & Regs. R. 505-3-.51

AUTHORITY: O.C.G.A. § 20-2-200**.**

HISTORY: Original Rule entitled "Reading Specialist Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: Rule reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "Intervention Specialist Endorsement Program" adopted. F. Dec. 3, 2002; eff. Jan. 1, 2003, as specified by the Agency.

Amended: F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Repealed: New Rule entitled "School Social Worker Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Adopted: New Rule entitled "Reading Education Program." F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. June 21, 2023; eff. July 1, 2023, as specified by the Agency.

Note: Correction of non-substantive typographical errors in paragraph (1), *"... for those holding an advanced degrees. All program leading to..."* corrected to *"... for those holding an advanced degree. All programs leading to..." (i.e., "degrees" to "degree" and "program" to "programs")*, as requested by the Agency. Effective May 10, 2024.

505-3-.76 [Effective 6/15/2024] Alternative Preparation for Educational Leadership Program

(1) **Purpose.** This rule states specific content standards and requirements for approving Tier I and Tier II alternative preparation programs designed for the preparation of individuals to serve in educational leadership positions in P-12 schools and Local Units of Administration (LUA), and it is designed to meet recruitment and hiring needs in various areas of the state. This rule supplements requirements and definitions of terms in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS. Implementation guidelines accompany this rule.

(2) **Definitions.**

(a) Alternative preparation is defined as a post-baccalaureate program designed for individuals who have not prepared as leaders in a traditional leadership preparation program. These preparation programs, which lead to an Educator Preparation Provider's verification of meeting requirements for Georgia certification, but not a degree, recognize candidates' earlier academic preparation and life experiences.

(b) Certificate Levels are assigned to Georgia educator certificates based on the degree(s) an educator holds. See GaPSC Rule 505-2-.02 CLASSIFICATION.

(c) The term leadership position refers to those positions requiring leadership certification as determined by the employing LUA for placement on the state salary schedule.

(d) Tier I prepares candidates for entry level leadership positions that include P-12 school level positions below the principal and system level positions that do not supervise principals.

(e) Tier II prepares candidates for advanced leadership positions that include P-12 school level principals or the equivalent, superintendents, or other LUA staff who supervise principals.

(3) **Requirements.**

(a) The standards and requirements set forth in this rule are intended to guide the development of an alternative preparation program in two phases of preparation (Tier I and Tier II). The goal is to ensure completers of each tier are able to demonstrate knowledge of leadership content, skills, and dispositions to positively impact teacher performance and student growth. Each tier includes a minimum one-year residency which provides opportunity for candidates to experience guided practice of skills in authentic leadership situations.

(b) To receive approval for the Alternative Preparation for Educational Leadership program, a Georgia Professional Standards Commission (GaPSC)-approved educator preparation provider (EPP) shall offer a preparation program described in program planning forms, websites, catalogs, and syllabi conforming to the Georgia Educational Leadership Standards, which are adapted from the Professional Standards for Educational Leaders (PSEL) published in 2015 by the National Policy Board for Educational Administration. Programs will be assessed at the standard level; elements listed under each standard give guidance regarding the breadth and depth of each standard and are adapted from PSEL. Although programs shall be designed upon the PSEL Standards and as required by Rule 505-3-.01, the Teacher Assessment on Performance Standards (TAPS) in relation to instructional leadership (see 505-3-.01 paragraph (3) (e) 4. (i)), EPPs are advised to consider additional standards in developing program curricula and clinical experiences at the appropriate level (Tier I or Tier II), such as the Learning Forward Standards for Professional Learning, Georgia Teacher Leadership Standards (GaPSC Rule 505-3-.72 TEACHER LEADERSHIP PROGRAM), the Model Principal Supervisor Standards, the evaluation standards comprising the Georgia Teacher Keys Effectiveness System (TKES) and the Georgia Leader Keys Effectiveness System (LKES), and the standards delineated in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE. GaPSC and Georgia Department of Education (GaDOE) rules are often focused on implementation of such standards; candidates shall complete preparation programs prepared to implement programs and processes that address such standards. Professional learning as described in the GaPSC certificate renewal rule (GaPSC Certification Rule 505-2-.36 RENEWAL REQUIREMENTS) and continuous improvement as described in GaDOE rules and processes shall be addressed in the leadership preparation curriculum and clinical experiences. Effective educational leaders:

1. Develop, advocate, and enact a shared mission, vision, and core values of high-quality education and academic success and well-being of each student. Education leaders build consensus among all stakeholders to develop an educational mission, vision, and core values of what students should know and do as a consequence of their schooling, as well as what it means for students to become well-adjusted, contributing members of society. Building such a vision supported by core values can require reconciling possibly competing perspectives among all members of the school community. Based on this vision, leaders work with school and community members to establish the school's mission, and to plan, implement, monitor, and evaluate impact to promote continuous and sustainable improvement. Effective leaders:

(i) Using relevant data and in collaboration with school and community members, develop an educational mission, vision, and statement of core values for the school to promote student success and well-being.

(ii) In collaboration with members of the school and the community and using relevant data, develop and promote a vision for student success and well-being by articulating, advocating, and cultivating core values that define the school's culture, and stress the imperative of child-centered education; high expectations and student support; fair access, opportunity, and advancement for all students; openness, caring, and trust; and continuous improvement.

(iii) Utilize best practices to strategically identify, implement, and evaluate actions to achieve the vision, mission, and core values for the school.

(iv) Ensure core values support processes and procedures that allow all students access to the most effective teachers and an instructional program that will ensure they are college and career ready.

(v) Develop a systematic, inclusive, and comprehensive process to review, revise, and communicate the school's mission, vision, and core values, and respond to changing expectations and opportunities for the school, and changing needs and situations of students.

(vi) Develop shared understanding of and commitment to mission, vision, and core values within the school and the community.

(vii) Monitor communications and actions to build and sustain school and community alignment with the shared vision, mission, and core values.

(viii) Model and pursue the school's mission, vision, and core values in all aspects of leadership.

2. Act ethically and according to professional norms to promote each student's academic success and well-being. Educational leaders are professionals who ensure personnel are equipped with professional understanding of the school's mission and the professional norms that must be followed to ensure student success and well-being. Leaders have an understanding of ethical principles to guide actions and decision-making, which must be within the boundaries of professional practice. Leaders foster the development of a school culture that nurtures understanding of professional conduct and ethics, and have a professional responsibility to take an intentional approach to ensure not only regulatory enforcement, but also ethics education, outreach, and prevention. Effective leaders:

(i) Act ethically and professionally in personal conduct, relationships with others, decision-making, stewardship of the school's resources, and all aspects of school leadership.

(ii) Act according to and promote the professional norms of integrity, fairness, transparency, trust, collaboration, perseverance, learning, and continuous improvement.

(iii) Place children at the center of education and accept responsibility for each student's academic success and well-being.

(iv) Safeguard and promote the values of democracy, individual freedom and responsibility, and fairness.

(v) Lead with interpersonal and communication skill, social-emotional insight, and understanding of all students' and staff members' backgrounds and cultures.

(vi) Provide moral direction for the school and promote ethical and professional behavior among faculty and staff.

3. Strive for fairness of educational opportunity and responsive practices to promote each student's academic success and well-being. Education leaders create a school culture that values learner differences. Students are known, accepted, valued, and empowered to reach their full potential. The school's culture supports a climate in which students are healthy, safe, and supported. The culture defines high expectations, encourages trust, and expects all to be responsible participants; as a result, all students thrive. Effective leaders:

(i) Ensure that each student feels a sense of belonging, is treated fairly and respectfully, and is accepted and valued as an active member of the school community.

(ii) Recognize, respect, and employ each student's strengths, differences, and culture as assets for teaching and learning.

(iii) Analyze data to ensure that each student has equitable access to effective teachers, learning opportunities, academic and social support, and other resources needed for college/career readiness.

(iv) Develop and communicate expectations and codes of conduct to address student behavior in a positive and fair manner.

(v) Eliminate barriers associated with race, class, culture and language, gender and sexual orientation, and disability or special status.

(vi) Utilize a variety of strategies to examine and address assumptions and beliefs that may conflict with vision, mission, core values, and goals.

(vii) Incorporate knowledge of the social, cultural, leadership, and political dynamics of the school community to cultivate a positive academic learning environment.

(viii) Promote the preparation of students to live productively in and contribute to the varied cultural contexts of a global society.

(ix) Act with cultural competence and responsiveness in their interactions, decision making, and practice.

4. Develop and support intellectually rigorous and coherent systems of curriculum, instruction, and assessment to promote each student's academic success and well-being. Effective educational leaders develop and support intellectually rigorous and coherent systems of curriculum, instruction, and assessment to maximize each student's growth and learning. Education leaders promote the use of rigorous curricula, which set high expectations for students and are aligned to academic standards. They seek to maximize student learning through authentic and differentiated pedagogy, systems of support, and effective assessment strategies that inform instruction. They develop and coordinate these systems in ways that create opportunities to personalize the academic program to meet individual student needs. The effectiveness of implementation and the impact of these systems on student learning are evaluated. Effective leaders:

(i) Promote the mission, vision, and core values of the school, embody high expectations for student learning, and align curriculum, instruction, and assessment with academic standards that are responsive to the needs of all learners.

(ii) Align and focus systems of curriculum, instruction, and assessment within and across grade levels to promote student academic success, love of learning, the identities and habits of learners, and healthy sense of self.

(iii) Promote instructional and assessment practice that is consistent with knowledge of learning, learner growth and development, effective pedagogy, and the needs of each student.

(iv) Guide the selection and implementation of evidence-based teaching strategies, curricular materials, educational technologies, and other resources appropriate to address all student populations.

(v) Ensure instructional practice that is intellectually challenging, authentic to student experiences, aligned to student strengths, and is differentiated and personalized.

(vi) Collaboratively model and promote with all stakeholders a culture of high expectations for all students.

(vii) Promote the effective use of technology.

(viii) Employ valid assessments that are consistent with knowledge of child learning and development and technical standards of measurement.

(ix) Monitor and evaluate the use of diagnostic, formative, and summative assessment to provide timely and accurate feedback to students and parents, and to inform instructional practices.

5. Cultivate a welcoming, caring, and supportive school community that promotes the academic success and well-being of each student. Education leaders build a school culture and climate that supports students being known and valued. The learning environment is personalized so students feel encouraged to engage with others as active learners. In such an environment learners are willing to take chances in their learning since a support system has been built to reinforce student learning. Effective leaders:

(i) Build and maintain a safe, caring, and healthy school environment that meets the academic, social, emotional, and physical needs of each student.

(ii) Create and sustain a school environment in which each student is known, accepted and valued, trusted and respected, cared for, and encouraged to be an active and responsible member of the school community.

(iii) Provide coherent systems of academic and social supports, services, extracurricular activities, and accommodations to meet the range of learning needs of each student.

(iv) Promote adult-student, student-peer, and school-community relationships that value and support academic learning and positive social and emotional development.

(v) Cultivate and reinforce student engagement in school and positive student conduct.

(vi) Infuse the school's learning environment with the cultures and languages of the school's community.

6. Develop the professional capacity and practice of school personnel to promote each student's academic success and well-being. Education leaders support the professional learning of effective, caring teachers and leaders who are able to work with students productively in the classroom and who can collaboratively lead a school or district. Building an effective staff requires careful personnel recruitment, selection, assignment of responsibilities, support, evaluation, and retention. Developing the professional skills of educators involves such activities as coaching, creating supportive conditions, and fostering a professional learning community. Effective leaders:

(i) Recruit, hire, assign, support, develop, and retain effective and caring teachers and other professional staff and form them into an educationally effective faculty in an equitable manner based on school needs, and local, state, and federal requirements.

(ii) Plan for and manage staff turnover and succession, providing opportunities for effective induction including mentoring of new personnel by carefully selected and trained mentors.

(iii) Develop teachers' and staff members' professional knowledge, skills, and practice through differentiated opportunities for learning and growth, guided by understanding of professional and adult learning and development.

(iv) Foster continuous improvement of individual and collective instructional capacity to achieve outcomes envisioned for each student.

(v) Deliver actionable feedback about instruction and other professional practice through valid, research-anchored systems of supervision and evaluation to support the development of teachers' and staff members' knowledge, skills, and practice.

(vi) Empower and motivate teachers and staff to the highest levels of professional practice and to continuous learning and improvement.

(vii) Recognize the achievements of highly effective teachers and others by developing the capacity, opportunities, and support for teacher leadership and leadership from other members of the school.

(viii) Promote the personal and professional health, well-being, and work-life balance of faculty and staff.

(ix) Address their own learning and effectiveness through reflection, study and improvement, maintaining a healthy work-life balance.

7. Foster a professional community of teachers and other professional staff to promote each student's academic success and well-being. Education leaders promote each student's academic success and well-being by creating and supporting a professional community of teachers. Building a community of teachers and other professional staff includes creating effective workplace conditions, promoting collective engagement and responsibility, and mutual accountability. Creating professional communities of teachers and other professional staff includes job-embedded opportunities that promote collaborative examination of practice and focuses on improvement of programs and practices. Effective leaders:

(i) Foster supportive workplace conditions for teachers and other professional staff that promote effective professional development, practice, and student learning.

(ii) Empower and entrust teachers and staff with collective responsibility for meeting the academic, social, emotional, and physical needs of each student, pursuant to the mission, vision, and core values of the school.

(iii) Establish and sustain a professional culture of engagement and commitment to shared vision, goals, and objectives pertaining to the education of the whole child; high expectations for professional work; ethical and equitable practice; trust and open communication; collaboration, collective efficacy, and continuous individual and organizational learning and improvement.

(iv) Promote mutual accountability among teachers and other professional staff for each student's success and the effectiveness of the school as a whole.

(v) Develop and support open, productive, caring, and trusting working relationships among leaders, faculty, and staff to promote professional capacity and the improvement of practice.

(vi) Design and implement job-embedded and other opportunities for professional learning collaboratively with faculty and staff.

(vii) Provide roles, structures, opportunities, and norms to support collaborative examination of practice, collegial feedback, and collective learning.

(viii) Encourage faculty-initiated improvement of programs and practices.

(ix) Use data, including student performance data, to evaluate the impact professional learning has on the faculty and staff, the school/district, and student learning.

8. Engage families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each student's academic success and well-being. Education leaders build and sustain productive relationships with families and other community partners in the government, non-profit, and private sectors. They promote understanding, appreciation, and use of the community's cultural, social, and intellectual resources. They communicate regularly and openly with families and community partners, and seek their input and support for continuous improvement efforts. Effective Leaders:

(i) Are approachable, accessible, and welcoming to all families and community members.

(ii) Create and sustain positive, collaborative, and productive relationships with families and the community for the benefit of students.

(iii) Engage in regular and open two-way communication with families and the community about the school, students, needs, challenges, and accomplishments.

(iv) Maintain a presence in the community to understand its strengths and needs, develop productive relationships, and engage its resources for the school.

(v) Create means for the school community to partner with families to support student learning in and out of school.

(vi) Build and sustain mutually beneficial productive partnerships with public and private sectors to share resources and promote school improvement and student learning.

(vii) Create an environment that values differences, serves as a resource for families and the school community, and welcomes family engagement in school activities.

(viii) Understand, value, and employ the community's cultural, social, intellectual, and political resources to promote student learning and school improvement.

(ix) Advocate publicly for the needs and priorities of the school, district, students, families, and the community.

(x) Work with the community to collect and analyze data on economic, social, and other emerging issues that impact district and school planning, programs, and structures.

9. Manage school operations and resources to promote each student's academic success and well-being. Education leaders are responsible for the effective, efficient, equitable, and ethical management of schools and districts. Their responsibilities include garnering and allocating resources, monitoring and addressing internal and external regulatory requirements, developing organizational policies and practices, and other administrative duties that maintain the continued viability of the school or district. Effective leaders:

(i) Institute, manage, and monitor operations and administrative systems that promote the mission and vision of the school.

(ii) Strategically manage staff resources, assigning and scheduling teachers and staff to roles and responsibilities that optimize their professional capacity to address each student's learning needs.

(iii) Seek, acquire, and manage fiscal, physical, and other resources to support curriculum, instruction, and assessment; student learning community; professional capacity and community; and family and community engagement.

(iv) Are responsible, ethical, and accountable stewards of the school's monetary and nonmonetary resources, engaging in effective budgeting and accounting practices.

(v) Protect teachers' and other staff members' work and learning from disruption.

(vi) Employ technology to improve the quality and efficiency of operations and management.

(vii) Develop and maintain data and communication systems to deliver actionable information for classroom and school improvement.

(viii) Know, comply with, and help the school community understand local, state, and federal laws, rights, policies, and regulations to promote student success.

(ix) Develop and manage relationships with feeder and connecting schools for enrollment management and curricular and instructional articulation.

(x) Develop and manage productive relationships with the central office and school board.

(xi) Develop and administer systems for fair and equitable management of conflict among students, faculty and staff, leaders, families, and community.

(xii) Manage governance processes and internal and external politics toward achieving the school's mission and vision.

10. Act as agents of continuous improvement to promote each student's academic success and well-being. Educational leaders foster an environment among stakeholders where data are analyzed and used to continuously improve the academic and social success of the students, staff, and the community of learners. Leaders ensure a systematic and collaborative process that promotes a culture of school improvement and accountability. This plan, do, check, act process is created with input from all stakeholders. The leader uses current and relevant research and effectively gathers, analyzes, and interprets student data from multiple sources to promote a shared vision for instructional improvement that engages all stakeholders in decision-making that drives and sustains school improvement for each student. Effective leaders are willing to make difficult decisions and confront adverse situations to promote student academic success and well-being. Effective leaders:

(i) Use a systematic continuous improvement process to achieve the vision, fulfill the mission, and promote the core values of the school.

(ii) Create a continuous improvement culture within the school and community that promotes mutual commitment and accountability for student success.

(iii) Develop the capacity of staff to effectively lead strategic teams in a systematic process of school improvement.

(iv) Employ situationally-appropriate strategies for improvement, including transformational and incremental, adaptive approaches and attention to different phases of implementation.

(v) Build the capacity of staff to assess the value and applicability of emerging educational trends and the findings of research for school improvement.

(vi) Develop systematic processes of data collection, management, and analysis to determine root causes and inform the decision-making process.

(vii) Adopt a systems perspective ensuring alignment among improvement efforts and within all aspects of school organization, programs, and services.

(viii) Manage uncertainty, risk, competing initiatives, and politics of change with courage and perseverance, providing support and encouragement, and openly communicating the need for, process for, and outcomes of improvement efforts.

(ix) Develop and promote leadership among teachers and staff for inquiry, experimentation and innovation, and initiating and implementing improvement.

(c) In addition to meeting the standards listed above, program requirements must include the following:

1. Tier I Program Admission.

(i) Non-educator candidates seeking admission to a Tier I program must:

(I) Receive from a LUA a recommendation for admission to the program and assurance the candidate works in a leadership position at least one-half day or more, each day;

(II) Hold, at a minimum, a master's degree from a GaPSC-accepted accredited college or university;

(III) Document five (5) or more years of successful leadership experience and related leadership training, preferably in an executive management, supervisory, or leadership role;

(IV) Provide references documenting evidence of successful performance in a leadership role;

(V) Exhibit professional leadership dispositions through an assessment, developed and/or adopted by the educator preparation provider; and

(VI) Provide evidence of experience in engaging employees in organizational development or professional learning opportunities.

(ii) Candidates currently employed as educators and seeking admission must:

(I) Receive the recommendation of a Georgia LUA for participation in the program and assurance the candidate works in a leadership position at least one-half day or more, each day;

(II) Hold a master's degree or a GaPSC Level 5 or higher professional type certificate; candidates who also have national board certification, the Teacher Leadership endorsement, Coaching endorsement or the Teacher Support and Coaching endorsement are ideal. The master's degree must have been earned from a GaPSC-accepted accredited institution.

(III) Provide evidence of successful teacher leadership experience;

(IV) Exhibit professional leadership dispositions through an assessment, developed and/or adopted by the educator preparation provider;

(V) Provide evidence of experience in engaging colleagues in professional learning opportunities; and

(VI) Provide evidence of successful teaching.

(iii) Upon admission, candidates accepted into the Tier I Alternative Preparation program are issued a Three (3)-Year Non-Renewable Leadership Certificate upon request from the employing LUA, which may be converted to a professional leadership certificate when requirements are met.

(iv) Candidates who enroll in a Tier I Alternative Preparation program must pass the Georgia Ethics for Educational Leadership Assessment prior to beginning program coursework.

2. Tier II Program Admission.

(i) Candidates must be employed in a leadership position in a LUA requiring Performance-Based Professional Leadership Certification at Tier II.

(ii) In addition, practicing educators seeking admission must:

(I) Receive the recommendation of the employing LUA for participation in the program and assurance that the system will support the work of the candidate in the program;

(II) Hold a level 5 or higher Standard Professional Educational Leadership Tier I Certificate or hold a valid, Standard Professional L Certificate in Educational Leadership Tier II based on completion of a non-performance-based program; and;

(III) Provide references documenting evidence of successful performance in a leadership position that requires Tier I leadership certification.

3. Candidate Support. All alternative preparation programs require structured supervision and guidance by a team of qualified mentors and coaches for a minimum of a twelve (12) month cycle during Tier I and a minimum of a twelve (12) month cycle during Tier II. The LUA shall provide a mentor with successful leadership experience at the Tier II level relative to the candidate being mentored. The alternative preparation program shall provide coaching by qualified individuals who demonstrate competencies in the knowledge, skills, and dispositions required for accomplished leadership. It is incumbent upon the program provider to ensure individuals providing developmental support (coach and mentor, for example) have successfully completed appropriate training.

4. Program Requirements. The alternative preparation program shall develop a performance-based program addressing the following:

(i) Tier I Program.

(I) A Pre-Residency component shall address through courses, modules, seminars or other modes of content delivery, at a minimum school law, the Georgia Code of Ethics for Educators, and organizational leadership with a focus on teaching, learning, and using data in the school improvement process. The pre-residency Educational Leadership requirements are described in program approval documents submitted to the GaPSC as part of the program approval process for educator preparation programs;

(II) Residency requirements must be successfully completed while employed by a regionally accredited LUA or regionally accredited private school in a Tier I leadership position full-time or part-time, for at least a half day every day for a minimum of a twelve (12) month cycle. Residency requirements for Tier I include the following:

I. Candidates shall participate in carefully designed experiences in addition to completing appropriate coursework, during an extended residency [minimum of a twelve (12) month cycle], providing significant opportunities for

candidates to apply the knowledge and guided practice to develop the skills and dispositions identified in the program standards through substantial, sustained, standards-based work in actual Tier I settings;

II. Candidates shall participate in a residency incorporating a continual assessment of candidate application of knowledge, skills, and leadership dispositions. Candidates' performances shall be planned and guided cooperatively by a candidate support team, throughout the program, to provide inclusion of appropriate opportunities to demonstrate knowledge, skills, and dispositions reflective of current leadership research and program standards. At a minimum, the candidate support team shall be composed of the candidate, a trained and qualified leadership coach, a P-12 school-based leader and/or LUA mentor/coach, and a supervisor from the approved program provider; and

III. The residency experiences shall provide candidates with substantial responsibilities that increase over time in amount and complexity, and involve direct interaction and involvement with appropriate staff, students, parents, and community leaders. The preponderance of experiences shall engage candidates in leading rather than observing or participating. Candidates shall demonstrate the ability to lead, facilitate, and make decisions as school leaders. Assessment of candidate performance shall be the responsibility of the approved program provider and shall include multiple formative and summative measures used throughout the residency to measure candidate progress in acquiring knowledge, demonstrating skills, and refining dispositions. Data from these assessments shall be shared with the candidate, instructors, mentors/coaches, and candidate support team in order to make informed decisions regarding candidate performance, program effectiveness, and EPP operations.

(ii) Tier II Program.

(I) Alternative preparation program advanced residency requirements shall be completed while employed by a regionally accredited LUA or regionally accredited private school in a Tier II level leadership position full-time or part-time, for at least a half day every day for a minimum of a twelve (12) month cycle. Residency requirements for Tier II shall include the following:

(II) Candidates shall participate in performances developed by the candidate support team based on individual performance assessment data, during an extended residency [minimum of a twelve (12) month cycle], providing significant opportunities for candidates through guided practice to apply knowledge, develop skills, and refine dispositions identified in the program standards while engaged in substantial, sustained, standards-based work in actual P-12 school/ system settings;

(III) Candidates shall participate in a performance-based residency incorporating a continual assessment of candidate application of knowledge, skills, and leadership dispositions. Candidates' performances shall be planned and guided cooperatively by a candidate support team, throughout the program, to provide inclusion of appropriate opportunities to demonstrate knowledge, skills, and dispositions reflective of current leadership research and program standards. At a minimum, the candidate support team shall be composed of the candidate, a leadership coach, a P-12 school-based leader and/or LUA mentor/coach, and a supervisor from the approved program provider; and

(IV) The residency experiences shall provide candidates with substantial responsibilities that increase over time in amount and complexity, and involve direct interaction and involvement with appropriate staff, students, parents, and community leaders. The preponderance of experiences shall engage candidates in leading rather than observing or participating. Candidates shall demonstrate the ability to lead, facilitate, and make decisions as P-12 school leaders. Assessment of candidate performance shall be the responsibility of the approved program provider and will include multiple formative and summative measures used throughout the residency to measure candidate progress. Data from these assessments shall be shared with the candidate, instructors, mentors/coaches, and candidate support team in order to make informed decisions regarding candidate performance, program effectiveness, and EPP operations.

5. Certification Requirements. Upon admission, candidates accepted into the Tier II Alternative Preparation program are issued a Three (3)-Year Non-Renewable Leadership Certificate upon request of the employing LUA, which may be converted to a professional leadership certificate when requirements are met. If the Georgia Ethics for Educational Leadership Assessment was not passed upon enrollment in a Tier I program, it must be passed prior to beginning Tier II coursework. An educator working in a Tier II position who does not hold Tier I certification will be issued a Non-Renewable Professional Certificate in each tier. If the Tier I certificate is converted to a Standard

Professional Certificate, the Non-Renewable Performance-Based Professional Certificate in Educational Leadership - Tier II may be extended for an additional three (3) years. While in the program, candidates shall demonstrate continual progress.

6. Exit Requirements. Exit requirements for successful completion of the alternative preparation program at each tier shall provide candidates an opportunity to demonstrate a foundation of knowledge, skills, and dispositions necessary for work in leadership positions in P-12 schools and LUAs. Requirements for each tier shall include the following:

(i) Successful defense of their leadership work before the candidate support team;

(ii) A successful evaluation of the candidate's performance by the superintendent or the superintendent's designee; and

(iii) A passing score on the GACE content assessment for Educational Leadership for Tier I candidates; for Tier II candidates, a passing score on the Georgia Performance Assessment for Educational Leadership (PASL).

7. Notification of Program Completion. Upon successful completion of all program exit requirements, the GaPSC-approved program provider shall notify the GaPSC that the candidate has met all program requirements and is qualified for a professional Performance-based Tier II certificate.

8. Continuous Improvement as Part of the Program Approval Process.

(i) As part of the continuous improvement cycle required by GaPSC Program Approval Standards (2023), EPPs are advised to engage partner school districts in regularly reviewing program effectiveness. In addition, as a formative measure, EPPs are advised to engage in a mid-cycle review using peers and partners as reviewers; such reviews will have no regulatory consequences. Mid-cycle formative reviews will use a valid and reliable process such as *Quality Measures.*

(4) **Eligible Program Providers**. The Alternative Preparation for Educational Leadership program may be proposed by any GaPSC-approved EPP that can verify, through the program approval process, the ability to provide an alternative preparation program complying with the definitions, standards, and requirements of the Alternative Preparation for Educational Leadership program as delineated in this rule. The eligible provider shall create a preparation program for both Tier I and Tier II; however, a provider is not required to offer a Tier II program. GaPSC-approved educator preparation providers at LUAs, private schools, or charter schools shall offer an approved alternative preparation program only to those candidates employed by that LUA or P-12 school.

Cite as Ga. Comp. R. & Regs. R. 505-3-.76

AUTHORITY: O.C.G.A. § 20-2-200**.**

HISTORY: Original Rule entitled "Media Specialist Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "Related Vocational Instruction (RVI) Endorsement Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: New Rule entitled "Career Technical Instruction Endorsement Program (CTI)" adopted. F. Feb. 16, 2009; eff. Mar. 15, 2009, as specified by the Agency.

Repealed: New Rule entitled "Alternative Preparation for Educational Leadership Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. June 13, 2014; eff. July 3, 2014.

Repealed: New Rule of same title adopted. F. Mar. 25, 2015; eff. Apr. 15, 2015, as specified by the Agency.

Amended: F. Dec. 21, 2015; eff. Jan. 15, 2016, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 20, 2016; eff. Jan. 15, 2017, as specified by the Agency.

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Note: Correction of non-substantive typographical error in subparagraph (3)(c)6., *"(ii) A passing score..."* corrected to *"(iii) A passing score..."*, as requested by the Agency. Effective Feb. 19, 2024.

Amended: F. May 20, 2024; eff. June 15, 2024, as specified by the Agency.