

11-~~R~~-0631

(Do Not Write Above This Line)

A RESOLUTION BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONSENT ORDER AND PAY A NEGOTIATED SETTLEMENT TO THE ENVIRONMENTAL PROTECTION DIVISION, DEPARTMENT OF NATURAL RESOURCES, STATE OF GEORGIA, TO RESOLVE ALLEGED VIOLATIONS OF THE GEORGIA RULES FOR AIR QUALITY CONTROL AND CONDITIONS OF PART 70 OPERATING PERMIT NUMBER 4581-063-0030-V-02-0, IN THE AMOUNT OF \$28,000, TO BE CHARGED TO AND PAID FROM FDOA: 5501 (AIRPORT REVENUE FUND) 180209 (DOA P&D ENVIRONMENT) 5212001 (CONSULTING/PROFESSIONAL SERVICES), 7563000 (AIRPORT); AND FOR OTHER PURPOSES.

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee
Date
Chair
Referred To

TRANSPORTATION

4-27-11 Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Handwritten signatures of committee members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members
ADOPTED BY

MAY 02 2011

COUNCIL

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

FINAL COUNCIL ACTION
1st & 2nd
2nd

Consent
V Vote
RC

CERTIFIED

CERTIFIED
MAY 02 2011

ATLANTA CITY COUNCIL PRESIDENT

Handwritten signature

CERTIFIED
MAY 02 2011

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 11 2011

WITHOUT SIGNATURE BY OPERATION OF LAW



**A RESOLUTION  
BY TRANSPORTATION COMMITTEE**

**11- R -0631**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONSENT ORDER AND PAY A NEGOTIATED SETTLEMENT TO THE ENVIRONMENTAL PROTECTION DIVISION, DEPARTMENT OF NATURAL RESOURCES, STATE OF GEORGIA, TO RESOLVE ALLEGED VIOLATIONS OF THE GEORGIA RULES FOR AIR QUALITY CONTROL AND CONDITIONS OF PART 70 OPERATING PERMIT NUMBER 4581-063-0030-V-02-0, IN THE AMOUNT OF \$28,000, TO BE CHARGED TO AND PAID FROM FDOA: 5501 (AIRPORT REVENUE FUND) 180209 (DOA P&D ENVIRONMENT) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 7563000 (AIRPORT); AND FOR OTHER PURPOSES.**

**WHEREAS**, the Director of the Environmental Protection Division, Department of Natural Resources, State of Georgia ("Division") issued Part 70 Operating Permit No. 4581-063-0030-V-02-0 ("Permit") to Hartsfield-Jackson Atlanta International Airport ("H-JAIA") on May 9, 2008, for operation of stationary sources at H-JAIA; and

**WHEREAS**, the Permit imposes upon the City of Atlanta ("City") certain operating testing and reporting obligations in operating stationary sources of air emissions at H-JAIA; and

**WHEREAS**, the Division has alleged that the City violated certain Permit conditions; and

**WHEREAS**, specifically, the Division alleged that the City failed to take expedient actions to correct excess emissions and failed to maintain complete operating records and monitoring requirements during the ozone season; and

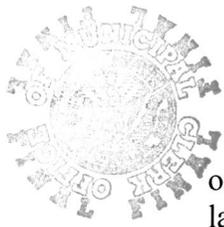
**WHEREAS**, accordingly, the Division issued a Notice of Violation ("NOV") dated March 01, 2011; and

**WHEREAS**, the City has determined that it is desirable and in its best interest to settle these issues with the Division by executing a Consent Order and paying a negotiated settlement in the amount of \$28,000; and

**WHEREAS**, the execution by the City of the Consent Order and payment of the negotiated settlement does not constitute a finding, adjudication or admission by the City that it has violated the Permit or any applicable State or Federal laws.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA**, that the Mayor is authorized to execute a Consent Order with the Division concerning the alleged NOV violations and to pay a negotiated settlement in the amount of \$28,000.

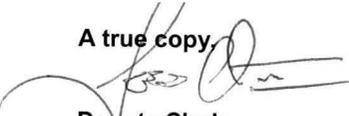
**BE IT FURTHER RESOLVED**, that the City's execution of the Consent Order and payment of the negotiated settlement will and does not constitute a finding, adjudication



or admission by the City that it has violated the Permit or any applicable State or Federal laws.

**BE IT FURTHER RESOLVED**, that the payment is to be charged to and paid from FDOA: 5501 (Airport Revenue Fund) 180209 (DOA P&D Environment) 5212001 (Consulting/Professional Services) 7563000 (Airport).

**BE IT FINALLY RESOLVED**, that the Chief Financial Officer is authorized to issue a check in the amount of \$28,000 payable to the Division.

A true copy  
  
Deputy Clerk

ADOPTED by the Atlanta Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

MAY 02, 2011  
MAY 11, 2011

RCS# 986  
5/02/11  
2:32 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
NV Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		05-02-11
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 11-O-0132	38. 11-R-0557	64. 11-R-0582
2. 11-O-0494	39. 11-R-0558	65. 11-R-0583
3. 11-O-0528	40. 11-R-0559	66. 11-R-0584
4. 11-O-0683	41. 11-R-0560	67. 11-R-0585
5. 11-O-0268	42. 11-R-0561	68. 11-R-0586
6. 11-O-0513	43. 11-R-0562	69. 11-R-0587
7. 11-O-0514	44. 11-R-0563	70. 11-R-0588
8. 11-O-0515	45. 11-R-0564	71. 11-R-0589
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14. 11-R-0621	51. 11-R-0570	77. 11-R-0595
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16. 11-R-0627	53. 11-R-0572	79. 11-R-0597
17. 11-R-0628	54. 11-R-0573	80. 11-R-0598
18. 11-R-0629	55. 11-R-0574	81. 11-R-0599
19. 11-R-0686	56. 11-R-0575	82. 11-R-0600
20. 11-R-0613	57. 11-R-0576	83. 11-R-0601
21. 11-R-0614	58. 11-R-0577	84. 11-R-0602
22. 11-R-0687	59. 11-R-0578	85. 11-R-0603
23. 11-R-0689	60. 11-R-0579	86. 11-R-0604
24. 11-R-0630	61. 11-R-0580	87. 11-R-0605
25. 11-R-0631	62. 11-R-0581	88. 11-R-0606
26. 11-R-0632	63. 11-R-0669	89. 11-R-0607
27. 11-R-0633		90. 11-R-0608
28. 11-R-0634		91. 11-R-0609
29. 11-R-0635		92. 11-R-0610
30. 11-R-0636		93. 11-R-0611
31. 11-R-0646		
32. 11-R-0649		
33. 11-R-0650		
34. 11-R-0652		
35. 11-R-0554		
36. 11-R-0555		
37. 11-R-0556		