

**Department of State
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312 Rosa L. Parks Avenue, 8th Floor Tennessee Tower
Nashville, TN 37243
Phone: 615-741-2650
Fax: 615-741-5133
Email: sos.information@state.tn.us

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Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing. TCA Section 4-5-205

Agency/Board/Commission:	Environment and Conservation
Division:	Air Pollution Control
Contact Person:	Jeryl W. Stewart
Address:	9 th Floor L & C Annex 401 Church Street Nashville, Tennessee
Zip:	37243-1531
Phone:	(615) 532-0605
Email:	Jeryl.Stewart@state.tn.us

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables.)

Chapter Number	Chapter Title
1200-03-11	Hazardous Air Contaminants
Rule Number	Rule Title
1200-03-11-.04	Mercury

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 1200-03-11
Hazardous Air Contaminants

Amendment

Paragraph (1) of rule 1200-03-11-.04 Hazardous Air Contaminants Mercury is amended by adding the following sentence (Any facility subject to the provisions of 40 CFR 63, Subpart IIIII – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants is no subject to this rule.) at the end of the current text so that, as amended, paragraph (1) shall read:

- (1) Applicability. The provisions of this Rule are applicable to those air contaminant sources which process mercury ore to recover mercury, use mercury chlor-alkali cells to produce chlorine gas and alkali metal hydroxide, and incinerate or dry wastewater treatment plant sludge. Any facility subject to the provisions of 40 CFR 63, Subpart IIIII – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants is not subject to this rule.

Authority: T.C.A. § 68-201-105.

Regulatory Flexibility Addendum

Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

(If applicable, insert Regulatory Flexibility Addendum here)

The administrative record for this rule shows that there is no basis to perform a Regulatory Flexibility Analysis or to provide an Economic Impact Statement under requirements of T.C.A. §§ 4-5-401 et seq. No small business as defined in T.C.A. § 4-5-102 (less than or equal to 50 full-time employees) is affected by this rule.