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Sequence Number: 02-16-14
Notice ID(s): 2137
File Date: 2/28/14

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Environment and Conservation
Division:	Air Pollution Control
Contact Person:	Malcolm H. Butler
Address:	15th Floor, William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue Nashville, Tennessee 37243-1531
Phone:	(615) 532-0600
Email:	malcolm.butler@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	2 nd Floor, William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue Nashville, Tennessee 37243
Phone:	1-866-253-5827 (toll free) or (615) 532-0200 Hearing impaired callers may use the TN Relay Service 1-800-848-0298
Email:	Beverly.Evans@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	15th Floor, William R. Snodgrass Tennessee Tower		
Address 2:	312 Rosa L. Parks Avenue		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	04/22/14		
Hearing Time:	9:30 AM	<input checked="" type="checkbox"/> X CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

Paragraph (8) of Rule 1200-03-18-.02 is being revised to include Knox, Blount, and Anderson counties in order for the Division to comply with the federal requirement for all sources located in a county designated or previously designated non-attainment for ozone with emissions of nitrogen oxides and/or volatile organic compounds greater than 25 tons per year to report those emissions. The Division intends to submit a re-designation request in 2014 for the 2008 Ozone Knoxville Non-Attainment Area to be designated as attainment, and this rule must be effective before the re-designation can occur. In addition, the rule is being revised to allow affected sources in counties that operate their own air pollution control program (local program) to send these reports to their permitting authority rather than the Technical Secretary of the Tennessee Air Pollution Control Board. This change will allow the local program to receive this data from their sources.

There will be a public hearing before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of amendments to the Tennessee Air Pollution Control Regulations and the State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at this hearing will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed regulatory amendments. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-201 et seq.

Anyone desiring to make oral comments at this public hearing is requested to prepare a written copy of their comments to be submitted to the hearing officer at the public hearing. Written comments not submitted at the public hearing will be included in the hearing record only if received by the close of business on April 22, 2014, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 15th Floor, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, Nashville, TN 37243.

Revisions considered at this hearing may be adopted by the Tennessee Air Pollution Control Board under T.C.A. § 68-201-105, the Board general authority to promulgate rules. The changes proposed below may be revised based on comments received from the public, the regulated community, and any other affected entities. The Tennessee Air Pollution Control Board will consider all comments and set the fee appropriately.

Materials concerning the proposed actions will be available at <http://tn.gov/environment/ppo/#air> and also for public inspection during normal working hours starting on March 20, 2014, at the following locations:

Air Pollution Control Division
15th Floor, WR SnodgrassTN Twr
312 Rosa L. Parks Avenue
Nashville, TN 37243

Pollution Control Division
Metropolitan Health Dept.
311 23rd Avenue, North
Nashville, TN 37203

Air Pollution Control Division
Cookeville EFO
1221 South Willow Avenue
Cookeville, TN 38506

Air Pollution Control Division
Knoxville EFO
3711 Middlebrook Pk., Suite 220
Knoxville, TN 37921

Air Pollution Control Division
Johnson City EFO
2305 Silverdale Road
Johnson City, TN 37601-2162

Air Pollution Control Division
Jackson EFO
1625 Hollywood Drive
Jackson, TN 38305

Air Pollution Control Division
Columbia EFO
1421 Hampshire Pike
Columbia, TN 38401

Knox County Department of
Air Quality Management
140 Dameron Avenue, Suite 242
Knoxville, TN 37917

Memphis/Shelby County Air Poll. Control
Shelby County Health Dept.
814 Jefferson Avenue
Memphis, TN 38105

Air Pollution Control Division
Chattanooga EFO
540 McCallie Avenue, Suite 550
Chattanooga, TN 37402

Air Pollution Control Division
Nashville EFO
711 R. S. Gass Boulevard
Nashville, TN 37243

Kingsport Public Library
400 Broad Street
Kingsport, TN 37660

Chattanooga-Hamilton County
Air Pollution Control Bureau
6125 Preservation Drive
Chattanooga, TN 37416

U.S. EPA, Region IV
APTMD - 12th Floor, Atlanta Federal Center
61 Forsyth Street S.W.
Atlanta, GA 30303
c/o Mr. Scott Davis, Chief

All persons interested in the air quality of the State of Tennessee are urged to attend and will be afforded the opportunity to present testimony to the hearing officer regarding the proposed additions and/or revisions to the State Implementation Plan.

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 to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1200-03-18	Volatile Organic Compounds
Rule Number	Rule Title
1200-03-18-.02	General Provisions and Applicability

(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>)

Amendment

Chapter 1200-03-18
Volatile Organic Compounds

Paragraph (8) of Rule 1200-03-18-.02 General Provisions and Applicability is amended by deleting it in its entirety and substituting instead the following:

- (8) The owner or operator of any facility in Davidson, Rutherford, Shelby, Sumner, Knox, Blount, Anderson, Williamson, or Wilson County which has actual emissions from stationary sources of 25 tons or more of volatile organic compounds (VOC's) during a calendar year shall report to their permitting authority information and data concerning these emissions and nitrogen oxide emissions. This information and data shall be in the form prescribed by the Technical Secretary, and shall be submitted before March 31 of the year following the calendar year for which the information and data is reported. The first report shall be for the 1993 calendar year, and shall be submitted before March 31, 1994. Each report shall be signed by an official of the company, certifying that the information and data contained in the report is accurate to the best knowledge of the individual certifying the report.

Authority: T.C.A. §§ 68-201-101 et seq. and 4-5-201 et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.



Date: Feb. 28, 2014

Signature: Barry R. Stephens

Name of Officer: Barry R. Stephens, P.E.

Title of Officer: Director, Tennessee Division of Air Pollution Control

Subscribed and sworn to before me on: February 28, 2014

Notary Public Signature: Malcolm H. Butler

My commission expires on: 1-11-2017

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Filed with the Department of State on: 2/28/14

Tre Hargett

Tre Hargett
Secretary of State

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