

Rulemaking Hearing Rules  
of  
Tennessee Department of Environment and Conservation  
Bureau of Environment  
Division of Air Pollution Control

Chapter 1200-3-26  
Administrative Fees Schedule

Amendment

Subparagraph (d) of paragraph (9) of rule 1200-3-26-.02 CONSTRUCTION AND ANNUAL EMISSION FEES is amended by substituting for the present subparagraph (d), a new subparagraph (d) so that, as amended, the new subparagraph (d) shall read:

- (d) The rate at which major source actual-based annual emission fees are assessed shall be \$32.00 per ton for the annual accounting period July 1, 2005, through June 30, 2006. The rate at which major source allowable-based annual emission fees are assessed shall be \$21.50 per ton for the annual accounting period July 1, 2005, through June 30, 2006. Notwithstanding any calculation of an annual fee using these rates, the annual fee that each major source is to pay shall not be less than \$4,500 for the annual accounting period July 1, 2005, through June 30, 2006. An annual revision to these rates and the minimum fee must result in the collection of sufficient fees to fund the activities identified in subparagraph 1200-3-26-.01(1)(c). These annual rates and the minimum fee shall be supported by the Division's annual workload analysis that is approved by the Board.

Authority: T.C.A. §68-201-105 and, 4-5-202 et. seq. Administrative History: Original rule filed June 1, 1990; effective July 16, 1990. Repealed and new rule filed July 5, 1994; effective September 18, 1994. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed March 23, 1998; effective June 6, 1998. Amendment filed March 26, 1999; effective June 9, 1999. Amendment filed April 17, 2000; effective July 1, 2000. Amendment filed December 21, 2000; effective March 6, 2001. Amendment filed January 14, 2002; effective March 30, 2002. Amendment filed May 23, 2003; effective August 6, 2003. Amendment filed May 17, 2004; effective July 31, 2004. Amendment filed March 29, 2005; effective June 12, 2005.

Legal contact and/or party who will approve final copy for publication:

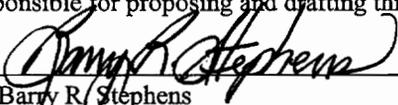
Mr. Ron Culberson  
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Contact for disk acquisition:

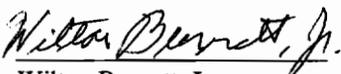
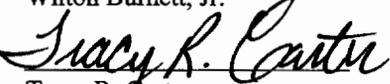
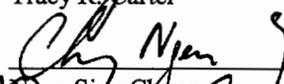
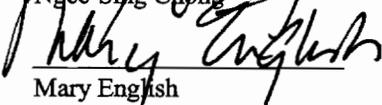
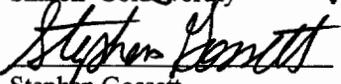
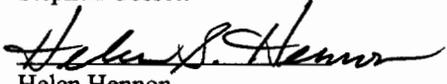
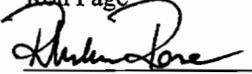
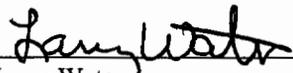
Mr. Malcolm H. Butler  
Division of Air Pollution Control  
9th Floor L & C Annex  
401 Church Street  
Nashville, TN 37243-1531  
(615) 532-0600

Signature of the agency officer or officers directly responsible for proposing and drafting this rule:

Signature of the agency officer or officers directly responsible for proposing and drafting this rule:

  
 Barry R. Stephens  
 Director  
 Tennessee Air Pollution Control Division

The roll-call vote of the Tennessee Air Pollution Control Board on this rulemaking hearing rule was as follows:

	Aye	No	Abstain
 Richard A. Bolton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Wilton Burnett, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tracy R. Carter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ngce-Sing Chong	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Mary English	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sharon Goldsworthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Stephen Gossett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Helen Hennon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Richard Holland	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Robert D. Kirkpatrick	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ron Page	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Rhedona Rose	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Greer Tidwell Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Larry Waters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

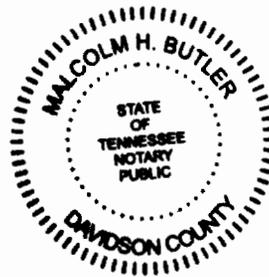
I certify that this is an accurate and complete copy of the rulemaking hearing rule, lawfully promulgated and adopted by the Tennessee Air Pollution Control Board on the 11 day of January, 2006.

Further, I certify that the provisions of T.C.A. §§4-5-222 have been fully complied with, that this rule was properly presented for filing, a notice of rulemaking hearing having been filed in the Department of State on the 30th day of September 2005, and such notice of rulemaking hearing having been published in October 14, 2005, issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 18<sup>th</sup> day of November, 2005.

Barry R. Stephens  
Barry R. Stephens  
Technical Secretary  
Tennessee Air Pollution Control Board

Subscribed and sworn to before me this the 12<sup>th</sup> day of January, 2006.

Malcolm H. Butler  
Notary Public



My commission expires on the 23<sup>rd</sup> day of May, 2009.

The rulemaking hearing rule provided for herein has been examined by the Attorney General and Reporter of the State of Tennessee and approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Paul G. Summers  
Paul G. Summers  
Attorney General and Reporter

The rulemaking hearing rule set out herein was properly filed in the Department of State on the 13 day of April, 2006, and will become effective on the 31 day of June, 2006.

Riley C. Darnell  
Riley C. Darnell  
Secretary of State

By: M. Darnell

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## Deletions Struckthrough

## Additions Underlined

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## Deletions Struckthrough

## Additions Underlined

- (d) The rate at which major source actual-based annual emission fees are assessed shall be ~~\$30.00~~ \$32.00 per ton for the annual accounting period July 1, ~~2004~~ 2005, through June 30, ~~2005~~ 2006. The rate at which major source allowable-based annual emission fees are assessed shall be ~~\$19.50~~ \$21.50 per ton for the annual accounting period July 1, ~~2004~~ 2005, through June 30, ~~2005~~ 2006. Notwithstanding any calculation of an annual fee using these rates, the annual fee that each major source is to pay shall not be less than ~~\$3,500~~ \$4,500 for the annual accounting period July 1, ~~2004~~ 2005, through June 30, ~~2005~~ 2006. An annual revision to these rates and the minimum fee must result in the collection of sufficient fees to fund the activities identified in subparagraph 1200-3-26-.01(1)(c). These annual rates and the minimum fee shall be supported by the Division's annual workload analysis that is approved by the Board.

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**Summary of Comments and Responses**  
**Proposed Modified Rule 1200-3-26-.01**  
**and**  
**Title V Workload Analysis**

David Alexander, DuPont Titanium Technologies	The number of projected Title V renewals, 107, represents approximately 1/3 of the total number of T5 permits and is out of proportion since the permits expire every 5 years.	This number includes those T5 permit renewals that have been received but not yet issued. Some T5 permits were issued with expiration dates less than five years, and this is also affecting that value, as is the fact that our primary focus has been on getting the initial T5 permits issued (the last permit in this group is currently undergoing EPA's 45 day review). In addition, some renewals are requiring the insertion of MACT requirements and Compliance Assurance Monitoring (CAM) requirements.
David Alexander	Using the total estimated required FTE in the FY2005 work load analysis indicates that each permit writer would be responsible for 9.5 permits. Assuming that these permits are all on a normal permitting cycle of 5 yrs. Each permit writer would then be responsible for 2 (number rounded) permit renewal, 4 semi-annual reports, and 2 annual certifications each year.	The permit writer load of an average of 9.5 T5 permits is correct, but please note that each permit writer would then be responsible for 19 semiannual reports and 9.5 annual compliance certifications each year.

*Handwritten initials*

David Alexander	As noted above, DuPont's information is that the Division has issued between 325 and 350 Title V permits. Each of these permits is required to submit to the Division 1 semi-annual report and 1 annual report for a maximum total of approximately 600 reports which would require review. Yet the permitting activity justification projects 990 semi-annual report reviews and 456 annual report reviews. These figures represent a nearly doubling of the projected report review from FY 2004.	Please note that each Title V company must submit to the Division two (2) semi-annual reports and 1 annual compliance certification. Some T5 companies also submit separate MACT reports. The numbers of reports given in the Workload Analysis are a projection of those that will be submitted in the coming year and those that we have already received that have not been reviewed. The Division currently has a backlog due to the loss of key personnel, multiple new federal requirements, and the fact that our primary focus has been on getting the initial T5 permits issued (the last permit in this group is currently undergoing EPA's 45 day review).
David Alexander	"....,DuPont is disappointed in the Division's response to a request to provide detailed accounting, via the Work Load analysis, to justify and explain the need for a 25% fee increase."	The Division did provide some additional detail in the 2005-2006 Workload Analysis, although not extremely detailed. The proposed increase is 20.5%, not 25%.
David Alexander	In this category, the projected FY 2005 projected hours is 4256.3 versus FY 2004 projected hours of 2781. This is a 53% increase. Yet the Division offers no explanation for the massive increase in personnel allotment. The Division needs to adequately explain and justify such a massive increase if they expect the regulated community to shoulder the financial burden imposed by this increase.	The Division used actual data from FY 2004 to predict the needed Title V enforcement hours for FY 2005. The number of hours Enforcement needs is directly related to the number of Title V facilities in violation and the severity of those violations. The number of hours projected for FY 2005 is significantly lower than FY 2003.
David Alexander	DuPont strongly requests that the Division provide a detailed accounting of the enforcement activities in support of the FY 2005 projected hours.	At the October Board meeting the Division presented a detailed list of all enforcement actions the Division took from July 1, 2004 through June 30, 2005. This list is incorporated into this Response to Comments by reference.
David Alexander	For inspections, training, complaints, monitoring time there are increases over FY 2004 of 20%, 50%, 92% & 17%, respectively with no explanation or justification.	Activity sheet information from field services staff is used. The time projected for 2005-2006 is based upon previous actual time spent for these activities. 30 hrs.

	DuPont wants the details.	estimated inspection time for T5 is based upon actual statewide inspection averages.
David Alexander	10% or 2,278 hrs are "other T5 activities" and DuPont questions what other activities can take up this much time. Division should clarify where this time and funds are directed.	Other activities are spelled out in third paragraph of field services section, just above the table.
David Alexander	Each activity is preceded by an asterisk but no explanation is offered. Division should explain what these markings represent.	See calculation basis at top of table for explanation.
David Alexander	11/8/05 Delay action until Workload hearing	Comments were received until 12/08/05
David Alexander	12/08/05 "Important that Title V program bear only its fair share"	For budgeting purposes the Department has utilized a longstanding distribution of costs at a 55 % T5 and 45% non-T5. That percentage may vary month to month depending upon the activity sheets reported to the labor distribution system.
David Alexander	Explain staff time spent on Title V	Reports from Fiscal Services indicates we are in general, meeting the above mentioned percentages. However there will be month to month variations.
David Alexander	"DuPont notes that in the program area activities of Air Emission Inventory, APC Data Management, and Computer there is a corresponding forecasted increase over FY2004 of 146%, 38%, and 150% respectively. The Division offers neither explanation nor justification for these increases. DuPont requests that the Division provide the necessary detail for the regulated community to understand the need for the forecasted increases."	While there are increases in the three areas mentioned, these just represent necessary shifts in priorities based on known projects for the coming FY.  Please note that last year's Workload projected 4.5 FTE. Actual hours worked in 2004 added up to 4.0 FTE. This year's projection holds at 4.0 FTE, despite the increases noted in some categories.
David Alexander	<i>Under the heading of "Activities", it is described in 2</i>	The Office of General Counsel provides support and

	<p><i>separate places that the SBEAP review/tracks/comments on regulations with potential small business impact” and it “review(s) complex regulation and develop(s) material that summarize(s) the essential requirements”. However in the activities listed under the Office of General Counsel this organization “provides support for the Air Resource Program to ... (2) Interpretation of Regulations and SIP”. DuPont is concerned that there may very well be a clear duplication that appears to offer an opportunity for consolidation.</i></p>	<p>rule interpretation to state programs/staff and the SBEAP provides support and rule interpretation to the small business community. Title V, Section 507 (a) (4) of the 1990 Clean Air Act Amendments instructs States to establish small business assistance programs to assist small business sources in “<i>determining applicable requirements and in receiving permits under this Act in a timely and efficient manner</i>”. Additionally, the Small Business Assistance Programs are afforded the opportunity to comment on and participate in the development of regulations at the federal level to insure no adverse small business impacts occur.</p>
David Alexander	<p>Under the heading of “compliance assistance” one of the activities listed is to “provide permitting assistance”. DuPont questions this activity as this is the job of the permit writer. DuPont has significant experience in permitting and know that “permit assistance is part and parcel of the permitting process provided by the permit writer. The Division and the SBEAP need to review these activities in order to maximize the efficiency of the organization.</p>	<p><i>As stated above, the Act requires the SBEAP to assist small businesses in determining applicable requirements and receiving permits in a timely and efficient manner. Additionally, the SBEAP must assure small business sources receive notice of their rights in a manner to assure reasonably adequate time for sources to evaluate compliance methods and any proposed or final regulation or standard. The SBEAP notifies affected small businesses of newly promulgated federal and state regulations. SBEAP staff assist small businesses in determining applicable regulations, obtaining applications and report forms and completing the forms. These efforts should assist the permitting process. There have been occasions when the federal rule requires reporting of information prior to the adoption of the rule at the State level. Staff assists small businesses in understanding and meeting their regulatory requirements under the Act.</i></p>
David Alexander	<p><i>Under “Activity Highlights” one of the items listed is a</i></p>	<p><i>The workshop locations are typically chosen because of</i></p>

	<p><i>workshop conducted on environmental regulations in Shelby County. Shelby County operates a local air pollution control program as well as its own Title V permitting program. DuPont questions if conducting the referenced workshop in a local program is the best use of Title V funds.</i></p>	<p><i>their location, ease for small business attendance, and ability to get a free site. Training programs are typically conducted in East, Middle and West Tennessee. This allows the small business owner an opportunity to attend a workshop without taking more than a few hours to attend. Workshop locations are not selected and/or conducted as a service to a local program. The Memphis Small Business Administration's office has partnered with the SBEAP by allowing free use of their facility where small businesses are accustomed to visiting. The local program may partner with the SBEAP by hosting a site.</i></p>
<p>David Alexander</p>	<p><i>Within the "Major Program Function" description, 2 program items seem significantly out of place. One describes permitting assistance to which comments have already been noted above. The second area dealing with "Technical compliance assistance" lists the activity of "conduct on site compliance inspections". Compliance inspection is a normally the responsibility of personnel within Environmental Field Offices. If the SBEAP is conducting these audits then it should be reflected in a reduction of EFO required activities.</i></p>	<p>The primary difference between the inspections conducted by the Division and those conducted by SBEAP is enforcement authority. The SBEAP has no enforcement authority. Small businesses are not always sure of their compliance status. The SBEAP seeks voluntary compliance and provides a non enforcement mechanism to achieve compliance. The SBEAP may conduct site visits/audits to determine needed permits. Inspections are conducted to review pollution sources, to determine needed permits and assist obtaining compliance when deficiencies exist. The 1990 Clean Air Act Amendments, Section 507 require SBEAPs to provide, adequate mechanisms for informing small businesses of their obligations under the Act, including referring or providing audits of the operations to determine compliance</p>

David Alexander	DuPont notes that in the assumptions given for this activity it appears that the Title V program is supporting the Division's receptionist position. Using the hours listed for reception support, this accounts for 45 hrs/wk (9 hours for 5 full time employees). At the Division listed FTE availability of 7.5 hrs/day a full time employee works 37.5 hrs./wk. At this charge rate there would be a monetary savings to hire a full time receptionist. The Division needs to offer an explanation for this obvious discrepancy in personnel utilization.	In response to Mr. Alexander's comments we strongly disagree that one receptionist can handle the phones. This is impossible because of the Division employee staggered work schedule ranging from 6:30 a.m. to 6:00 p.m. daily and a shortage of support staff. It takes five support staff employees to cover the 80 phone lines from 7:00 a.m. to 5:00 p.m.. From 4:30 p.m. to 5:00 p.m. the phones are covered by the support staff supervisor at no cost to the state of Tennessee but as a service to the citizens. Because of budget cuts and hiring freezes, the support staff has suffered a loss of three positions. We have overcome the odds by cross-training five dedicated employees performing an outstanding job.
Bridgette K. Ellis, Tennessee Valley Authority	Supports the proposal to increase the Title V permit fees by amending Chapter 1200-3-26.	No response.
Bridgette Ellis	Over the years, Tennessee has had a permitting program that is blessed with a number of very competent individuals. We are all mindful of the increasing costs, but no overall savings will result from withholding needed funds from this important task.	No Response Necessary

Richard Holland, Packaging Corporation of America	Under the permitting section, the number of permits for semiannual report review and annual compliance certification review does not match the total number of permits issued. Provide an explanation of "back log" and what changes will be implemented to insure prompt review of reports and acknowledgement to permit holders.	Please note that each Title V company must submit to the Division two (2) semi-annual reports and 1 annual compliance certification. Some T5 companies also submit separate MACT reports. The numbers of reports given in the Workload Analysis are a projection of those that will be submitted in the coming year and those that we have already received that have not been reviewed. The Division currently has a backlog due to the loss of key personnel, multiple new federal requirements, and the fact that our primary focus has been on getting the initial T5 permits issued (the last permit in this group is currently undergoing EPA's 45 day review).									
Richard Holland	<p>There is a wide variance in training costs.</p> <table border="0" data-bbox="453 699 1146 808"> <tr> <td>Enforcement</td> <td>149 hours/employee</td> <td>=20 days</td> </tr> <tr> <td>Field Offices</td> <td>371 hours/employee</td> <td>=49 days</td> </tr> <tr> <td>Permitting</td> <td>87 hours/employee</td> <td>=12 days</td> </tr> </table> <p>Technical Services 17 hours/employee =2 days Comp. Validation 0</p> <p>Using the Field Offices, 24131 total hours / 5562 training hours = 23%. It does not seem practical that 23% of the entire annual work effort is spent in training. Provide comments on this situation.</p>	Enforcement	149 hours/employee	=20 days	Field Offices	371 hours/employee	=49 days	Permitting	87 hours/employee	=12 days	Staff will be available at the Board meeting to address this issue.
Enforcement	149 hours/employee	=20 days									
Field Offices	371 hours/employee	=49 days									
Permitting	87 hours/employee	=12 days									
Richard Holland	Provide examples of work under "other Title 5 activities".	Other activities are spelled out in third paragraph of field services section, just above the table.									
Richard Holland	For "ambient monitoring", provide explanation for allocation of time between Title 5 and non-Title 5.	Designations are made by JLW, Technical Services manager. Monitors are allocated an 80/20 T5/non-T5 split.									
Richard Holland	There is a wide variance in training costs. It does not seem practical that 23% of work effort is spent in training. Provide comments on this situation.	Previous year actual time is used to project upcoming year time. New staff training takes a lot of time. Existing staff have on-going training needs. All technical training is considered Title 5 work.									

Richard Holland	Salary split between Title V and Non-Title V	See earlier comment on this subject in response to David Alexander
Richard Holland	Explanation of indirect program costs in workload	Officials of Fiscal Services will make a presentation to the Board of these costs.
Richard Holland	How much of the projected 6.1 million in the workload is salaries and indirect expenses	State budget procedures usually have 75% of the total dollars allocated for salaries and benefits and 25% for direct expenses are anything not included in the salary and personnel benefit lines including rent, phones printing maintenance, supplies equipment utilities and etc.
Richard Holland	The Activity Summary for the Small Business Assistance section is not clear. Provide a concise summary of activities and a justification for such activities being related to Title V Issues	Title V, Section 507 of the 1990 Clean Air Act Amendments (CAAA) requires each State to establish a small business stationary source technical and environmental compliance assistance program. These programs are to provide small business non major sources with information and assistance to allow them to meet their environmental regulatory obligations. These programs have no enforcement authority. The programs: notify small businesses of potential regulations impacting them; assist them in determining regulatory impacts; assists them in acquiring permits; assists in correcting compliance deficiencies; and provide current environmental information through meetings, conferences, events and a web page.
	CAAA Requirement	SBEAP Activity
	Adequate mechanism for developing collecting and coordinating information concerning compliance methods and technologies	<p>Conduct outreach</p> <ul style="list-style-type: none"> <li>➤ Participate in meetings, conferences, training events, summits, and fairs</li> <li>➤ Submit articles to trade associations</li> </ul>

	<p>Adequate mechanisms for assisting small sources with P2, accidental release, alternative technologies, process changes, products, and methods of operation that help reduce air pollution</p>	<p>Disseminate information to small businesses in easy to understand language</p> <ul style="list-style-type: none"> <li>➤ Review complex regulations and develop materials that summarize the essential requirements</li> <li>➤ Develop assistance materials</li> <li>➤ Utilize acceptable materials developed by others and modified to be Tennessee specific</li> <li>➤ Identify small business information needs</li> <li>➤ Utilize the web, media, meetings/conferences, newsletters and mail to distribute information</li> </ul>
	<p>A compliance assistance program which assists small businesses in determining applicable requirements and receiving permits in a timely and efficient manner</p>	<ul style="list-style-type: none"> <li>➤ General Assistance Requests 159</li> <li>➤ Site Visits 24</li> <li>➤ Permit Application Assistance 37</li> </ul>
	<p>Assure small business sources receive notice of their rights in a manner to assure reasonably adequate time for sources to evaluate compliance methods and any proposed or final regulation or standard</p>	<p>Inform affected industry of regulatory requirements</p> <ul style="list-style-type: none"> <li>➤ Review/track/comment on regulations with potential small business impact</li> <li>➤ Identify small businesses potentially impacted by new and/or existing regulation(s)</li> </ul>

		<ul style="list-style-type: none"> <li>➤ Distribute regulatory notification that's easy to understand and includes compliance assistance information and/or tools</li> </ul>
	<p>Adequate mechanisms for informing small businesses of their obligations under the Act, including referring or providing audits of the operations to determine compliance</p>	<p>Provide training opportunities</p> <ul style="list-style-type: none"> <li>➤ Conduct training sessions at forums, meetings and conferences</li> <li>➤ Conduct in-depth training workshops</li> </ul> <p>Conduct compliance assistance, including on-site visits as needed</p> <ul style="list-style-type: none"> <li>➤ Provide compliance assistance and conduct on-site reviews to assess facility operation and potential non-compliance areas</li> <li>➤ Provide permitting assistance</li> <li>➤ Make referrals as appropriate to other assistance agencies and/or to a consultant</li> </ul>
Wayne Scharber, Tennessee Chamber of Commerce & Industry	<p>Requests that accurate numbers, projections, and additional explanations or examples be used in the supporting Workload Analysis. Future Workload Analysis needs to provide better details and provide some level of evaluation of needs, efforts, successes, and failures.</p>	<p>The Division will provide additional detail in the 2006-2007 Workload Analysis. For the 2005-2006 Workload Analysis, additional detail is provided in this (the Response to Comments) document.</p>

Wayne Scharber	Suggests that the current projected need for \$500,000 new fee dollars for FY 2005-2006 be taken from the existing \$1.3 million fund balance.	Title V fees are utilized to meet actual and projected expenses. To hold the fee at the current level runs the risk of leaving the Division short of fiscal resources in the event of a major economic turndown.
Wayne Scharber	11/8/05 Requests opportunity oral comment before the board	Chamber will be given opportunity to appear before the Board.
Wayne Scharber	12/8/05 suggests formal work group for workload analysis	The Department feels that this group would not be necessary at this time. The Chamber and Department could spend its time on items more efficiently since most of the questions have been answered. The Board can consider this proposal.
Wayne Scharber	12/8/05 Chamber suggests using current balance to fund this year's expense.	Title 5 fees are utilized to meet actual and projected expenses. To hold the fee at its current level runs the risk of leaving the Division short of fiscal resources in the event of a major economic downturn.
Andrew Goddard TN Paper Council	"Cart before horse" on way workload and regulatory fee hearing were announced	The Title V fee action has always been a twofold action. The regulatory portion having to do with actual fee and the workload the supporting documentation. This year because of sickness of staff it was decided to split the actions. However the regulatory hearing was extended to close the same period as the workload hearing.
Andrew Goddard	Notice of Workload Analysis hearing defective in newspaper.	The newspaper notice notified the public of the availability of the workload at the public depositories and public hearing. The regulatory policies in the TAR and newspaper provided the fee change information.