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# 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.*

<b>Agency/Board/Commission:</b>	Environment & Conservation
<b>Division:</b>	Air Pollution Control
<b>Contact Person:</b>	Paul LaRock
<b>Address:</b>	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 15th Floor Nashville, TN 37243
<b>Phone:</b>	(615) 532-0617
<b>Email:</b>	<a href="mailto:paul.larock@tn.gov">paul.larock@tn.gov</a>

*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:*

<b>ADA Contact:</b>	ADA Coordinator
<b>Address:</b>	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 22nd Floor Nashville, Tennessee 37243
<b>Phone:</b>	1-866-253-5827 (toll free) or 615-532-0200 Hearing impaired callers may use the TN Relay Service 1-800-848-0298
<b>Email:</b>	<a href="mailto:Beverly.Evans@tn.gov">Beverly.Evans@tn.gov</a>

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

Address 1:	Conference Room A		
Address 2:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 15th Floor		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	06/21/16		
Hearing Time:	9:30 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

**Additional Hearing Information:**

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 Rules and the State Implementation Plan (or "SIP") 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 the Board's consideration in regards to the proposed regulatory amendments. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. Section 4-5-201 et seq., and will take place in the 15<sup>th</sup> Floor Conference Room A, William R. Snodgrass Tennessee Tower, located at 312 Rosa L. Parks Avenue, Nashville, Tennessee 37243 at 9:30 a.m. on June 21, 2016. Written comments will be included in the hearing records if received by the close of business on June 21, 2016, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, William R. Snodgrass Tennessee Tower, located at 312 Rosa L. Parks Avenue 15<sup>th</sup> Floor, Nashville, Tennessee 37243. Additionally, comments may be submitted via attachments through electronic mail to [Air.Pollution.Control@tn.gov](mailto:Air.Pollution.Control@tn.gov) until the close of business on June 21, 2016.

Any individuals with disabilities who wish to participate in these proceedings or to review these filings should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than 10 days prior to June 21, 2016, or the date such party intends to review such filings, to allow time to provide such aid or service. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue 22nd Floor, Nashville, TN 37243, (866) 253-5827. Hearing impaired callers may use the Tennessee Relay Service, (800) 848-0298.

If you have any questions about the origination of these rule changes, you may contact Paul LaRock at (615) 532-0093. For complete copies of the text of the notice, please contact Paul LaRock, Department of Environment and Conservation, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue 15th Floor, Nashville, TN 37243 or via e-mail at [paul.larock@tn.gov](mailto:paul.larock@tn.gov).

This amendment to paragraph (1) of Rule 1200-03-05-.02 clarifies that irrespective of any permit conditions or due allowances for visible emissions, no emission will be allowed that can be proved to cause or contribute to violations of National Ambient Air Quality Standards. Interested parties may submit comments on the proposed revisions.

Revisions considered at this hearing may be adopted by the Tennessee Air Pollution Control Board under Tenn. Code Ann. Section 68-201-105, the Board general authority to promulgate rules. Materials concerning the proposed actions will be available for public inspection during normal working hours starting on May 17, 2016, at the following locations:

Air Pollution Control Division  
WR Snodgrass TN Tower  
15th Floor  
312 Rosa L Parks Ave  
Nashville, TN 37243

Pollution Control Division  
Metropolitan Health Dept.  
2500 Charlotte Avenue  
Nashville, TN 37209-4129

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  
1301 Riverfront Pkwy, Suite 206  
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 rule revisions and revisions to the State Implementation Plan. Any person desiring to present lengthy comments should be prepared at the hearing to offer a written statement to be incorporated into the record. Written statements not presented at the hearings will only be considered part of the records if received by 4:30 PM on June 21, 2016, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue 15<sup>th</sup> Floor, Nashville, TN 37243.

**Revision Type (check all that apply):**

- Amendment
- New
- Repeal

**Rule(s)** (**ALL** chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

<b>Chapter Number</b>	<b>Chapter Title</b>
1200-03-05	Visible Emissions Regulations
<b>Rule Number</b>	<b>Rule Title</b>
1200-03-05-.02	Exceptions

(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 1200-03-05  
Visible Emissions Regulations

Amendment

Paragraph (1) of Rule 1200-03-05-.02 Exceptions is amended by deleting it in its entirety and substituting instead the following:

- (1) Consistent with the requirements of Chapter 1200-3-20, due allowance may be made for visible emissions in excess of that permitted in this chapter which are necessary or unavoidable due to routine startup and shutdown conditions. However, no visible emission in excess of that permitted in this chapter shall be allowed which can be proved to cause or contribute to any violations of the Ambient Air Quality Standards contained in Chapter 1200-03-03 and the National Ambient Air Quality Standards. The owner or operator shall maintain a continuous, current log of all excess visible emissions showing the time at which such conditions began and ended and that such record shall be available to the Technical Secretary or his representative upon his request.

Authority: §§ 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: April 29, 2016

Signature: Michelle W. Owenby

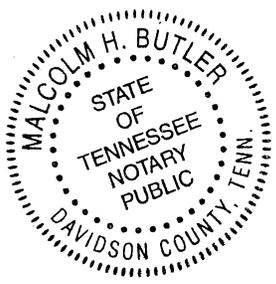
Name of Officer: Michelle W. Owenby

Title of Officer: Technical Secretary

Subscribed and sworn to before me on: April 29, 2016

Notary Public Signature: Malcolm H. Butler

My commission expires on: 1-11-2017



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Filed with the Department of State on: 4/29/16

Tre Hargett  
Tre Hargett  
Secretary of State

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