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Phone: 615.741.2650
Fax: 615.741.5133
Email: sos.information@state.tn.us

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File Date: 08/27/2009

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission: Environment & Conservation
Division: Air Pollution Control
Contact Person: Jeryl W. Stewart
9th Floor L & C Annex
401 Church Street
Address: Nashville, Tennessee 37243-1531
Phone: (615) 532-0605
Email: Jeryl.Stewart@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
12th Floor
401 Church Street
Address: Nashville, Tennessee 37243
Phone: (615) 532-0207 or for hearing impaired, TN Relay Service 1-800-848-0298
Email: Beverly.Evans@tn.gov

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

Address 1:	9 th Floor L & C Annex
Address 2:	401 Church Street
City:	Nashville, Tennessee
Zip:	37243-1531
Hearing Date :	10/20/09
Hearing Time:	9:30 AM <input checked="" type="checkbox"/> CST <input type="checkbox"/> EST

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 Regulations, and the State Implementation Plan pursuant to T.C.A. § 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 Tuesday, October 20, 2009, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

If you have any questions about the origination of this rule change, you may contact Mr. Malcolm Butler at (615) 532-0600. Copies of documents concerning this matter are available for review at the office of the Technical Secretary and at certain public depositories. For information about reviewing these documents, please contact Mr. Malcolm Butler, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531, telephone (615) 532-0600.

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.

Materials concerning the proposed actions will be available at www.state.tn.us/environment/apc/ppo/ and also for public inspection during normal working hours starting on September 17, 2009, at the following locations:

Air Pollution Control Division 9th Floor, L & C Annex 401 Church Street Nashville, TN 37243-1531	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 2484 Park Plus Drive Columbia, TN 38401	Knox County Department of Air Quality Management 140 Dameron Avenue, Suite 242 Knoxville, TN 37917	Division of Air Pollution Control Memphis-Shelby Co. 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. Richard Schutt, 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) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1200-03-16	New Source Performance Standards
Rule Number	Rule Title
1200-03-16-.01	General Provisions
1200-03-16-22	Coal Preparation Plants
1200-03-16-53	Nonmetallic Mineral Processing Plants

(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 1200-03-16
New Source Performance Standards

Amendment

Subparagraph (c) of paragraph (7) of Rule 1200-03-16-.01 General Provisions is amended by deleting it in its entirety and replacing it with the word "Reserved" so that, as amended, the subparagraph shall read:

(c) Reserved

Authority: T.C.A. § 68-201-105

Rule 1200-03-16-.22 Coal Preparation Plants is amended by deleting the rule in its entirety and replacing it with the word "Reserved" so that, as amended, the rule shall read:

1200-03-16-.22 Reserved

Authority: T.C.A. § 68-201-105

Rule 1200-03-16-.53 Nonmetallic Mineral Processing Plants is amended by deleting the rule in its entirety and replacing it the word "Reserved" so that, as amended, the rule shall read:

1200-03-16-.53 Reserved

Authority T.C.A § 68-201-105

Chapter 1200-03-16 Table of Contents is amended by deleting the titles of rules 1200-03-16-.22 and 1200-03-16-.53 and replacing them with the word "Reserved" in both places.

Authority: T.C.A. § 68-201-105

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: August 27, 2009

Signature: Barry R. Stephens

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

Title of Officer: Director, Division of Air Pollution Control

Subscribed and sworn to before me on: August 27, 2009

Notary Public Signature: Elizabeth Annah Puler

My commission expires on: April 24, 2010

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Filed with the Department of State on: 8-27-09

Tre Hargett by Tre Hargett, POA
Tre Hargett
Secretary of State

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