

Petition for Exemption From State Supervision of Local Air Pollution Control Programs to the Tennessee State Air Pollution Control Board

The Tennessee Air Quality Act (TCA §§ 68-201-115(a)) allows local governments to adopt regulations that are not less stringent than those of the State. Specifically, TCA §§ 68-201-115(a) states:

“(a) Any municipality or county in this state may enact, by ordinance or resolution respectively, air pollution control regulations not less stringent than the standards adopted for the state pursuant to this part...”

Additionally, TCA §§ 68-201-115(b)(3) states:

“(3) The certificate of exemption shall be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A) are being, or will be, adequately enforced; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;”

These provisions in the TCA allow the Tennessee Air Pollution Control Board to grant a certificate of exemption from State supervision to any municipality or county in Tennessee.

Therefore, this petition with supporting information is being presented to allow entities an exemption from State supervision. These entities are referred to here as “Local Programs” to conduct the regulatory requirements typically conducted by the State Air Pollution Control Division. The petition can be for a duration up to two years (TCA §§ 68-201-115(c)(1)).

Also, TCA §§ 68-201-115(b)(6) limits the exemption to the language and areas of authority specifically stated in the exemption. Therefore, the Local Program for Davidson County is requesting to be exempted from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following (add list of provisions for which the Local Program requests exemption):

Ambient air quality standards;

Open burning regulations;

Visible emissions standards;

Non-process emission limitations;

Process emission limitations;

Fugitive dust regulations;

Permitting requirements:

Construction permits:

New source review (Growth Policy);
PSD authority; and
Minor source permits;

Operating Permits:

Initial and renewal; and
Federally enforceable;

Part 70 operating permits

Asbestos demolition and renovation projects

National Emission Standards for Hazardous Air Pollutants and Maximum Achievable Control Technology Standards, as set forth in TN Chapters 1200-3-11 & 31 (as adopted from 40 CFR Parts 61 and 63) and other standards and regulations for hazardous air pollutants (including authority to determine Maximum Achievable Control Technology Standards) and authority to incorporate them into permits to comply with all provisions of Section 112 of the Federal Clean Air Act and enforcement of these standards and regulations;

Methods of sampling, testing and analysis;

Enforcement and Compliance provisions:

Instituting, or causing to be instituted in a court of competent jurisdiction, legal proceedings to compel compliance with an order, final order, determination, rule, regulation, or ordinance of the local Board, the Director of the Metro Public Health Department of Nashville and Davidson County, or of any included governmental entity;

Obtaining compliance with air pollution control rules and regulations by conference, conciliation, persuasion, issuance of formal notices of violation and prosecution thereof; including when appropriate, holding hearings and issuing orders to assess civil penalties for each violation where each day of violation is a separate offense, and providing hearings for administrative review through a local Board of civil penalties, orders and permits, and including, when appropriate,

judicial proceedings or referral to the U.S. Environmental Protection Agency or district attorney general for prosecution;

Determining that any order, final order, determination, rule, regulation or ordinance of the local Board, the Director of the Metro Public Health Department or Nashville and Davidson County, or of any included governmental entity has been violated, that such violation constitutes a public nuisance, and instituting legal proceedings to abate a public nuisance on behalf of a municipality or a county;

Control of emissions of particulate matter, including PM10 and PM2.5;

Control of emissions of carbon monoxide;

Control of emissions of the precursors of ozone, including volatile organic compounds and nitrogen oxides;

Control of emissions of sulfur oxides, emissions of sulfuric acid and sulfur trioxide (combined);

Control of emissions of lead;

Control of greenhouse gases;

Emergency episode regulations, including emergency stop orders;

New Source Performance Standards (NSPS) as set forth in TN Chapter 1200-3-16 and Emission Guidelines in 40 CFR Part 60, after adoption as local laws, as listed below:

General provisions;

Fossil fuel-fired steam generating units of more than 250 million Btu/hr heat input rate which commenced construction after August 17, 1971;

Electric utility steam generating units of more than 250 million Btu/hr heat input rate which commenced construction after September 18, 1978;

Industrial-Commercial-Institutional Steam Generating Units;

Incinerators;

Municipal Waste Combustors;

Hospital/Medical/Infectious Waste Incinerators;

Portland cement plants;

Nitric acid plants;

Sulfuric acid plants;

Asphalt concrete plants (hot mix asphalt facilities);

Petroleum refineries;

Storage vessels for petroleum liquids;

Secondary lead smelters;

Secondary brass and bronze ingot production plants;

Primary emissions from basic oxygen process furnaces for which construction is commenced after January 20, 1983;

Sewage treatment plants;

Primary copper smelters;

Primary zinc smelters;

Primary aluminum reduction plants;

Phosphate fertilizer industry for:

Wet process phosphoric acid plants;

Super phosphoric acid plants;

Diammonium phosphate plants;

Triple superphosphate plants;

Granular triple superphosphate storage facilities;

Coal preparation plants;

Ferroalloy production facilities;

Steel plants: Electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;

Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;

Kraft pulp mills;

Glass manufacturing plants;

Grain elevators;

Surface coating of metal furniture;

Stationary gas turbines;

Lime manufacturing plants;

Lead-acid battery manufacturing plants;

Metallic mineral processing plants;

Automobile and light-duty truck surface coating operations;

Phosphate rock plants;

Ammonium sulfate manufacture;

Graphic arts industry: publication rotogravure printing

Pressure sensitive tape & label surface coating operations;

Industrial surface coating: large appliances;

Metal coil surface coating;

Asphalt processing and asphalt roofing manufacture;

Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;

Beverage can surface coating industry;

Bulk-gasoline terminals;

Rubber tire manufacturing industry;

VOC emissions from the polymer manufacturing industry;

Flexible vinyl & urethane coating and printing;

Equipment leaks of VOC in petroleum refineries;

Synthetic fiber production facilities;

VOC emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;

Petroleum dry cleaners;

Equipment leaks of VOC from onshore: natural gas processing plants;

Onshore natural gas processing: SO₂ emissions;

VOC emissions from the synthetic organic chemical manufacturing industry (SOCMI) distillation operations;

Non-metallic mineral processing plants;

Wool fiberglass insulation manufacturing plants;

VOC emissions from petroleum refinery wastewater systems;

VOC emissions from the synthetic organic chemical manufacturing industry (SOCMI) reactor processes;

Magnetic tape coating facilities;

Industrial surface coating: plastic parts for business machines;

Calciners and dryers in mineral industries;

Polymeric coating of supporting substrates facilities;

Municipal solid waste landfills;

Small municipal waste combustors;

Commercial and industrial solid waste incineration units for which construction is commenced after November 30, 1999, or for which modification or reconstruction is commenced on or after June 1, 2001;

Commercial and industrial solid waste incineration units that commenced construction on or before November 30, 1999;

Other solid waste incineration units;

Coal-fired electric steam generating units;

Stationary compression ignition internal combustion engines;

Stationary spark ignition internal combustion engines;

Stationary combustion turbines;

Administrative procedures, including emissions credit banking and emissions trading policy statements;

Monitoring, recording and reporting of source emissions;

Regulation of malfunctions, start-ups and shutdowns;

Alternate emissions limitations;

General policies or plans:

Ozone attainment and maintenance plans (SIP);

Program operating procedures;

Carbon monoxide maintenance plan (SIP);

Particulate matter control plan (PM2.5);

System of permits and/or certificates and emission fees including the Title V permit program;

Scheduling and collecting of fees for review of plans and specifications, issuance or renewal of permits or certificates (including Title V permit fees), inspection of air pollutant sources, including building demolition and renovation, and computer and research time;

Developing and recommending a comprehensive air pollution control program, reviewing such program, and recommending changes as may be deemed appropriate;

Requiring the furnishing of information from persons causing, or who may be about to cause air pollution;

Entering in or upon private or public property for the purpose of inspecting and investigating any air contaminant sources;

Receiving, budgeting, receipting for and administering such monies as are appropriated or granted for carrying out the program of the local Board;

Collecting and disseminating information relative to air pollution; encouraging voluntary cooperation in preserving and resorting a reasonable degree of air purity; and advising, consulting and cooperating with other agencies, persons or groups in matters pertaining to air pollution;

Handling correspondence, keeping records, preparing reports and performing such duties as are necessary or authorized;

Granting and denying petitions for variances after first submitting the variance to the Metropolitan Board of Health for approval;

Regulation of infectious waste incinerators;

Good engineering practice stack height requirements;

Light duty vehicle inspection and maintenance program;

Transportation conformity rule requirements; and

Confidentiality determinations.

A. Demonstration of Enforcement Authority

1. Please provide the following data for enforcement activities occurring during the calendar year 2020 and to date in 2021:

Table 1. Enforcement Activities.

	CY 2020	CY 2021
Number of Notices of Violation	76	119
Number of Warning Letters	14	11
Number of Orders for Corrective Action only	31	48
Number of Civil Penalty Assessments only	4	8
Number of Civil Penalty Assessments and Orders for Corrective Action (both in the same order)	46	63
Total Amount Assessed	\$7,334.68	\$41,001.98
Total Amount Collected	\$6,795.04	\$37,289.14

2. How many notifications for asbestos/demolition activities were received in Federal FY2021?

231

3. How many asbestos compliance inspections were conducted in Federal FY2021?
120
 - a. How many of these inspections included entry into containment areas during active removal to observe work practices?
2
4. How many Notices of Violation for asbestos/demolition were issued?
10
5. Are there any issues or concerns, regarding asbestos, with state owned facilities in your county?

All issues with asbestos at state owned facilities are referred to TDEC.

B. Staffing and Regulatory Authority

1. Please provide a current staff chart showing personnel and functions.
Please see attached organization chart.
2. Number of budgeted positions?
13
3. Number of vacant positions?
0
4. What steps are being taken to fill vacant position(s)?
N/A
5. Are there any expected staff cuts or expansions?
No.
6. Is the State informed of regulatory changes? If so, how? If not, why not?

Yes. Most changes are in response to state or federal changes. In those cases where rulemaking originates at the local level, TDEC would be made aware during the development process and copied when MPHD seeks pre-draft review from EPA

7. Are the air pollution control regulations for each jurisdiction in your county available online? If so, how current are these regulations? If not, why not?

Regulations are available online and are updated as needed.

8. Do your local air pollution control provisions contain any land use or zoning requirements? If so, where, and how do you intend to address the requirements of TCA 68-201-115(f) and (g)? Please explain.

There is an ordinance, which was codified at Metro Code 10.56.020, that discusses compliance with zoning regulations as part of the air pollution analysis. However, T.C.A. 68-201-115 clearly preempts this requirement, and MPHD does not enforce this requirement. Because Metro and MPHD recognize this preemption and do not enforce this requirement, no Metro ordinances or code provisions conflict with the amended statute

9. Are there any changes to the provisions that you've listed beginning on the first page that the local program is requesting authority to enforce as compared to the petition made in 2020? If so, what are the changes and why?

No.

C. Local Agency Air Pollution Control Board

1. Please provide a current list of the local Air Pollution Control Board members and their term expiration dates.

Carol Etherington, MSN, RN, FAAN	current term ends 7/9/2024
A. Alex Jahangir, MD, MMHC, FACS	current term ends 7/9/2022
Tene Hamilton Franklin, MS	current term ends 7/9/2024
David A. Frederick, MS	current term ends 7/9/2023
Calvin Smith, MD	current term ends 5/30/2025
Thomas W. Campbell	current term ends 7/9/2021

2. Is your Air Board or Commission fully staffed?

Yes.

- a. If there are vacancies, how long have they existed and when do you anticipate that they will be filled?

Dr. Thomas Campbell's term ended on 7/9/2021, however he has not been replaced yet. He will remain on the board until that occurs. His replacement will be nominated by the Mayor and ratified by Metro Council.

- b. How often does your Board meet?

Monthly.

D. State Implementation Plan Revisions (Local Program)

1. Are there any EPA - requested SIP revisions that your county needs to undertake? Table 2, below, does not indicate that there is any local program action required for currently proposed SIP revisions (excluding the IM removal SIP revisions). If your county needs to undertake SIP revisions, what are they and when do you plan to submit those? Are there any other local SIP revisions in progress, if so, at what point are they in the process?

No.

2. Are there any rule revisions or updates your Local Program needs to undertake to have all necessary rules needed as compared to those of the State? If so, what are they and what is the estimated timeframe for adoption?

N/A

3. Please list the local rules/ordinances that have been adopted since the last Certificate of Exemption was granted (July 1, 2020). Also include any which were not incorporated into the State Implementation Plan (please denote these). Describe why each rule revision was undertaken.

N/A

Table 2. Current EPA SIP Log (May 18, 2021).

Docket No.	Submittal No.	Staff Contact	Submittal Date	Statutory Due Date	Description	Comments
	TN 345	Brad/Joel	11/19/2016	5/19/2018	SSM SIP Call Response	SSM implications
EPA-R04-OAR-2017-0626	TN 350	Sara Twingala	8/12/2017	11/12/2018	Sullivan County (Eastman) 2010 SO2 attainment demonstration	PR published 6/29/2018 (83 FR 30669). Comment period closed 7/30/18 and received adverse comment.
EPA-R04-OAR-2019-0156	TN-364	Evan	9/17/2018	3/17/2020	2015 8-hour Ozone NAAQS iSIP (Prong 1 & 2)	Original PR signed on 3/24/2020 but has not been published yet. It is pending regulatory review.
EPA-R04-OAR-2019-0535	TN-371	Michele	8/1/2019	2/1/2021	SO2 Infrastructure SIP (Prongs 1 and 2)	PR routing in signature chain.
EPA-R04-OAR-2019-0619	TN-372	Kelly	2/27/2020	8/27/2021	Hamilton Co. I/M Removal & 110(l)	Supplemental Proposal was published on 4/22/2021 (86 FR 21248). Comment period ends 5/24/2021.
EPA-R04-OAR-2019-0618	TN-373	Kelly	2/27/2020	8/27/2021	Middle TN I/M Removal & 110(l)	Supplemental Proposal was published on 4/22/2021 (86 FR 21248). Comment period ends 5/24/2021.
EPA-R04-OAR-2020-0221	TN-375	Sarah	1/24/2020	7/23/2021	Knoxville 1997 8-hour Ozone Limited Maintenance Plan	PR routing in signature chain.
EPA-R04-OAR-2020-0428	TN 376	Sarah	6/23/2020	12/23/2021	Montgomery 1997 8-hour Ozone Limited Maintenance Plan	PR routing in signature chain.
EPA-R04-OAR-2020-0482	TN 377	Evan	9/29/2020	3/29/2022	Sumner County 2010 SO2 NAAQS Unclassifiable Redesignation	PR published 3/5/2021 (86 FR 12892) and received no comments. FR routing in signature chain.
	TN 378	Sarah	3/23/2021	9/25/2022	Tennessee eNotice Provisions	
	TN 379	Pearlene	4/9/2021	10/9/2022	Appendix W Rule Revisions	

E. Permit Program Operation

1. What sources are exempt from permit requirements?

Fuel burning equipment that is fired with liquid petroleum gas, natural gas or No. 2 fuel oil with a heat input of less than 10 million Btu per hour where the combined total heat input rate at the facility does not exceed 20 million Btu per hour. This exemption does not apply to gas-fired turbines.

Equipment used exclusively to store or hold dry natural gas or liquid petroleum gas;

Laboratory equipment used exclusively for chemical and physical analysis, including ventilating and exhaust systems for laboratory hoods used for air contaminants other than carcinogenic or radioactive air pollutants;

Brazing, soldering, or welding equipment, except those which emit lead or use lead compounds.

Repairs or maintenance of a source regulated by an emission standard provided that no structural changes are involved such as replacement or installation of any new process, fuel burning, incineration or air pollution control equipment;

Alkaline/phosphate washers and associated gas-fired burners provided that no volatile organic compounds are present in the phosphatizing or wash solutions;

All gas or No. 2 fuel oil fired, infrared, or electric ovens which have no emission other than productions of fuel combustion except for those regulated by Regulation No. 5, "Standards of Performance for New Stationary Sources" (NSPS) or have a heat rate input of more than 10 million Btu per hour;

Surface coating operations which do not exceed a combined total usage of more than 45 gallons per month of coatings, thinners and cleanup solvents at one location;

Any process emitting less than 0.1 pounds per hour of any non-hazardous air pollutant except for those regulated by Regulation No. 5, "Standards of Performance for New Stationary Sources" (NSPS); and

Tank trucks and barges

2. What is the frequency of operating permit renewal?

Title V permits are renewed every 5 years. All other operating permits are renewed annually.

3. Are the Title V fees you collect sufficient to fully fund your Title V program?

Yes.

4. Are the non-Title V fees (e.g. annual fees, application fees, I/M fees) together with other funding sources (e.g. EPA grants, county funds) sufficient to fund your non-Title V program?

Yes.

5. Have/are you: a) recently changed, b) in the process of changing, or c) planning to change your fee system(s)? If so, please explain what those changes are/will be.

No changes have occurred. The fee amount may change, but the format will not.

6. Do you have any required or optional permitting mechanisms that are alternatives to standard construction and/or operating permits (e.g. permit-by-rule, general permits)? If so, please describe what these are and the types of sources they cover.

No.

7. How do you determine which applications will receive a public hearing?

The public may request a public hearing pertaining to the issuance of a construction permit or operating permit for a major source.

8. Do you hold public hearings for controversial applications for which a hearing is not required?

If it is anticipated that a proposed major source will ultimately have a public hearing requested during the public comment period, a public hearing may be scheduled in an effort to conserve time and resources.

9. Is a public notice required for all construction permit applications? If not, which are exempt? If so, how is notice made to the public, and for how long?

Public notice is required for all construction permit applications triggered by a new or modified source that results in an increase in potential emissions. Public notice is not required when a construction permit application is submitted for administrative purposes, such as a change in ownership, or to incorporate more restrictive requirements or lower potential emissions in a federally enforceable permit. In addition to the newspaper, notices are posted to the Metro Public Health Department's website.

10. Are draft permits available on your website for public comment before issuance of the permit? If yes, what is the time frame? If no, why not?

Notice of the draft permits and how to get copies are posted on the website. Copies of the draft permits themselves are not on the website. This process is dependent on our administrative rights and access to the website.

F. Compliance Monitoring

1. Is your agency involved in litigation with any company (if yes, explain)?

No, the agency is not currently involved in any litigation.

2. Explain the main enforcement problems, if any, in your county.

The program is not facing any enforcement problems. However, the program is always looking for ways to improve compliance assistance, especially with dry cleaning and gasoline dispensing facilities

3. Does your agency have source testing capability?

The agency does not conduct its own stack testing.

4. Are source tests witnessed?

The agency attempts to witness all source tests with the exception of pressure decay tests at gasoline dispensing facilities. Only a small portion of the pressure decay tests are witnessed.

5. How many of the following sources are located in your county, and how frequently are they inspected (annually, every two years, etc.)?

Table 3. Sources and Inspection Frequency.

Source Type	Number of Sources	Frequency of Inspection
Title V sources:	10	Annually
Conditional Major (synthetic minor):	84	Annually
True Minor:	524	Annually

6. What procedures are employed to ensure that such sources are operating within their synthetic or conditional limit?

Production records are reviewed annually during the inspection. Each source is also required to submit an annual emissions inventory.

7. How many sources are required to have continuous in stack monitors (CEMS or COMS)? Please list sources and types of monitors.

Blanchard Terminal Company, LLC - Nashville Terminal – CEMS - VOC
Shell Oil Products US – CEMS - VOC
Magellan Terminals Holdings, LP (63rd Avenue) – CEMS - VOC
ExxonMobil Pipeline Corporation – CEMS - VOC
MPLX Terminals, LLC - Bordeaux Terminal – CEMS - VOC
MPLX Terminals, LLC - Nashville Terminal – CEMS - VOC
Fiberweb, Inc. (A Berry Global Company) – PEMS O2 and NOx

8. Does the local agency implement continuous emissions monitoring requirements for the NOx SIP Call, CSAPR and the Data Requirements Rule? Please explain.

N/A

G. Ambient Air Monitoring

1. Does the current monitoring network address all major source impacts? For example, are there any required Lead or SO₂ monitoring requirements, or PSD monitoring requirements, and if so, are they being met?

We do not have any source specific monitors.

2. Specific to those types of source specific monitors considered in question 1, above, are all source-oriented monitoring sites identified as such in the current AMNP and in AQS?

N/A

3. Do all NCore/SLAMS monitoring sites meet siting criteria?

Yes, all sites meet siting criteria. All monitoring sites are surveyed each year to ensure continuing compliance.

4. Is the most recent annual network review completed? Please include any comments or requested corrective actions provided by EPA upon their review and approval/partial approval of the most recent AMNP. If there were recommended corrective actions by EPA, how, and by when do you plan to address those corrective actions?

The most recent AMNP was submitted to TDEC on May 14th 2021. No comments were made by the EPA.

5. Does your agency operate any Special Purpose Monitoring sites? If so, please describe.

N/A

6. Please identify any deficiencies noted in the most recent State monitoring network audit and how and when those will be addressed.

All monitors passed the most recent TDEC audit.

7. Please identify any deficiencies noted during the most recent TSA performed by EPA and when those were or will be addressed.

Most recent EPA TSA was closed out and all items were addressed as of 8/5/2019.

H. Air Quality Data Management Systems

1. How often is air quality data submitted to the EPA AQS system?

Air Quality data is submitted once per quarter.

2. What procedure is used to document exceptional event influenced data?

We follow the procedure set out in our Data Handling SOP in which data is flagged with a qualifier before uploading it to AQS and the EPA is notified so that it can concur with that decision.

3. Are quality assurance/quality control procedures being fully implemented? Please describe?

Yes. We adhere to all processes laid out in our QAPP and all SOPs.

4. Are all your QMPs and QAPPs current and approved by EPA? Please provide a copy of your current QMP and any QAPPs in use by your agency.

QMP approval date: 6/5/2019; expiration date: 6/5/2024

QAPP approval date: 2/22/2019; expiration date: 2/22/2024

5. What are the expiration dates for your current QAPPs?

QAPP approval date: 2/22/2019; expiration date: 2/22/2024

6. Who is the quality assurance coordinator?

Morgan Dickie is our Quality Assurance Technician.

7. What laboratory facilities are available? Please explain.

We have laboratory facilities for testing, calibration and repair of our analyzers. We do not carry out any filter analysis in-house.

I. Continued Operation of Local Air Program

1. Are there any concerns regarding program administration, staffing or funds? Has your agency analyzed the impact of reduced emissions on Title V fee collections? If yes, are you anticipating a need to increase Title V fees in order satisfy Title V program funding requirements? Is there a schedule for revising your Title V fee structure to meet any funding needs; if so, what is it?

There are no concerns at this time. There are no plans to revise the current fee structure. The current system does allow for an increase above the current fees being charged. An increase in fees is likely to come this year, but a change to the structure will not.

2. Are there any concerns with your local program's ability to adequately enforce your provisions as required in TCA 68-201-115(b)(3)(B)?

No.

3. Are there any air monitoring system equipment needs? If yes, what is your air monitoring equipment acquisition/replacement plan?

The current Air Monitoring Network is up to date.

4. Please list any recent Local Program accomplishment and highlights.

Lockeland Elementary PM monitoring site was reequipped and back up and running in August 2020 after a complete loss of the site due to a Tornado in March 2020. All gaseous monitors achieved >95% data completeness for 2020.

5. Are there any anticipated issues that might impede the Local Program’s ability to continue to administer the Local Program during the next Certificate of Exemption (COE) cycle? If yes, please explain.

No.

6. Are there any impacts to your local air agency from Covid-19 that are, or are expected to, limit the ability of your agency in fulfilling its local program functions and requirements? If so, please describe below.

No.

J. Certification of Local Authority

Table 4. Crosswalk Between State and Local Rules.

**Crosswalk between the Rules of the
Tennessee Department of Environment and Conservation Air Pollution Control
Division and the Local Air Pollution Control Agency**

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-01</u>	General Provisions	MCL 10.56	The language in the General Provisions is mostly non-regulatory. The portion that is regulatory is covered by the Metropolitan Code of Laws (MCL) Section 10.56.100 and 10.56.310
<u>1200-03-02</u>	Definitions	10.56.010	Definitions
<u>1200-03-03</u>	Ambient Air Quality Standards	10.56.160	Ambient Air Quality Standards
<u>1200-03-04</u>	Open Burning	10.56.250	Open Burning
<u>1200-03-05</u>	Visible Emission Regulations	10.56.270	Visible Emissions
<u>1200-03-06</u>	Non-process Emission Standards	10.56.200 10.56.220 10.56.230 10.56.240 Reg. No. 10 Reg. No. 12 Reg. No. 17	Sale, Use or Consumptoin of Solie and Liquid Fuels Fuel-burning Equipment Incinerators Internal Combustion Engines Infection Waste Incinerators Regulation for Control of Municipal Waste Combustors Commercial and Institutional Solid Waste Incinerators
<u>1200-03-07</u>	Process Emission Standards	10.56.260	Process Emissions

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-08</u>	Fugitive Dust	10.56.190 Reg. No. 2	Controlling Wind-borne Materials Prevention, Abatement, and Control of Air Containments from Materials Subject to Becoming Wind-Borne
<u>1200-03-09</u>	Construction and Operating Permits	10.56.020 10.56.040 10.56.050 10.56.060 10.56.070 Reg. No. 13	Construction Permits Operating Permits Exemptions Transferability of Permit Suspension or Revocation of Permit Part 70 Operating Permit Program
<u>1200-03-10</u>	Required Sampling, Recording, and Reporting	10.56.290	Measurement and Reporting of Emissions
<u>1200-03-11</u>	Hazardous Air Contaminants	10.56.210 Reg. No. 4	Hazardous Air Pollutants Hazardous Air Pollutants
<u>1200-03-12</u>	Methods of Sampling and Analysis	10.56.300	Testing Procedures
<u>1200-03-13</u>	Violation	10.56.090 10.56.120 10.56.140 10.56.150	Board – Powers and Duties Complaint Notice – Hearing Procedure Emergency Measures – Hearing Procedure Nuisance Declared – Injunctive Relief
<u>1200-03-14</u>	Control of Sulfur Dioxide Emission	10.56.200 10.56.260	Sale, Use or Consumption of Solid and Liquid Fuels Process Emissions
<u>1200-03-15</u>	Emergency Episode Plan	Reg. No. 11	Emergency Episode Regulation
<u>1200-03-16</u>	New Source Performance Standards	Reg. No. 5	Standards of Performance for New Stationary Sources
<u>1200-03-17</u>	Reserved		N/A
<u>1200-03-18</u>	Volatile Organic Compounds	Reg No. 7	Control for Volatile Organic Compounds
<u>1200-03-19</u>	Emission Standards and Monitoring Requirements for Additional Control Areas	N/A	N/A
<u>1200-03-20</u>	Limits on Emissions Due to Malfunction, Startups and Shutdowns	N/A	N/A
<u>1200-03-21</u>	General Alternate Emission Standards	N/A	N/A
<u>1200-03-22</u>	Lead Emission Standards	N/A	N/A
<u>1200-03-23</u>	Visibility Protection	Reg. No. 3	New Source Review
<u>1200-03-24</u>	Good Engineering Practice Stack Height Regulations	10.56.020 Reg. No. 3	Construction Permits New Source Review
<u>1200-03-25</u>	Standards for Infectious Waste Incinerators	Reg. No. 10	Infectious Waste Incinerator
<u>1200-03-26</u>	Administrative Fees Schedule	10.58.080	Permit and Annual Emission Fees
<u>1200-03-27</u>	Nitrogen Oxides	Reg. No. 14	Control of Nitrogen Oxides

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-28</u>	Reserved	N/A	N/A
<u>1200-03-29</u>	Light-Duty Motor Vehicle Inspection and Maintenance	10.56.240 Reg. No. 8	Internal Combustion Engines Emissions for Light-duty Motor Vehicles through mandatory Vehicle Inspection and Maintenance Program
<u>1200-03-30</u>	Acidic Precipitation Control	Reg. No. 15	Title VI – Acid Deposition Control
<u>1200-03-31</u>	Case-By-Case Determinations of Hazardous Air Pollutant Control Requirements	Reg. No. 4	Regulation of Control Of Hazardous Air Pollutants
<u>1200-03-32</u>	Prevention of Accidental Releases	Reg. No. 4	Regulation of Control of Hazardous Air Pollutants
<u>1200-03-33</u>	Reserved	N/A	N/A
<u>1200-03-34</u>	Conformity	N/A	N/A
<u>1200-03-35</u>	Reserved	N/A	N/A
<u>1200-03-36</u>	Motor Vehicle Tampering	10.56.240 Reg. No. 8	Internal Combustion Engines Emissions from Light-duty Motor Vehicles through Mandatory Vehicle Inspection and Maintenance Program
<u>1200-03-37</u>	Reserved	N/A	N/A
<u>400-30-17</u>	Conflict of Interest	MCL 2.222	Standards of Conduct, Disclosure of Interests, and Enforcement
<u>400-30-38</u>	Emission Standards for Hazardous Air Pollutants	Reg. No. 4	Regulation of Control of Hazardous Air Pollutants
<u>400-30-39</u>	Standards of Performance for New Stationary Sources	Reg. No. 5	Standards of Performance of New Stationary Sources.

I hereby certify in order to support a determination pursuant to Tenn. Code Ann. § 68-201-115(b)(3) for exemption from applicability within (list County and Municipalities):

Nashville/Davidson County, Tennessee

that:

- 1) Based on information and belief formed after reasonable inquiry, that the enacted or adopted provisions of local law in effect within my jurisdiction, are not less stringent than corresponding state provisions of the Tennessee Air Quality Act (§ 68-201-101 et. seq.) and its implementing rules.

I further certify based on information and belief formed after reasonable inquiry that these local provisions will be adequately enforced.

Signature: _____



Print Name:

JOHN FINKE

Title:

DIRECTOR, AIR POLLUTION CONTROL

Date:

7/28/21