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 Shelby 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):

1. Ambient air quality standards;
2. Open burning regulations;
3. Visible emission standards;
4. Non-process emission limitations;

5. Process emission limitations;

6. Fugitive dust regulations;

7. Permitting requirements:
   
   A. Construction Permits:
      (1) New Source Review -- Growth Policy
      (2) PSD authority
      (3) Minor Source Permits
   
   B. Operating Permits:
      (1) Initial and Renewal
      (2) Federally Enforceable
   
   C. Part 70 Operating Permits
   
   D. Asbestos Demolition and Renovation Projects

8. All National Emission Standards for Hazardous Air Pollutants, and Maximum Achievable Control Technology Standards 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;

9. Methods of sampling and analysis;

10. Enforcement and Compliance provisions;

   • Determining that any decision of the local Board or of any order, final order, determination, rule, regulation or ordinance of the Director of the Shelby County Health Department or of her designated representative, or of any included governmental entity, where applicable, has been violated, that such violation constitutes a public nuisance, and abating such a public nuisance in the manner provided by the general law relating to the abatement of public nuisances, and instituting legal proceedings to abate a public nuisance on behalf of a municipality or a county;

   • Instituting, or causing to be instituted in a court of competent jurisdiction, legal proceedings to compel compliance with any decision of the local Board or with any order, final order, determination, rule, regulation or ordinance of
the Director of the Shelby County Health Department or her designated representative, or of any included governmental entity where applicable;

- 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 including, when appropriate, judicial proceedings or referral to the U.S. Environmental Protection Agency or district attorney general for prosecution;

- Providing for appellate review by the local air board of decisions, rulings, determinations, failure to act, or to act within a reasonable timeframe, by the Shelby County Health Department.;

11. Control of emissions of particulate matter including PM$_{10}$ and PM$_{2.5}$ and precursors;

12. Control of emissions of carbon monoxide;

13. Control of emissions of the precursors to ozone including volatile organic compounds and nitrogen oxides;

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

15. Control of emissions of lead;

16. Emergency episode regulations including emergency stop orders;

17. New Source Performance Standards (NSPS) as set forth in Chapter 1200-3-16 and 40 CFR Part 60 and Emission Guidelines as set forth 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;

- Fuelfired steam generators for which construction commenced after April 3, 1972;

- Electric utility steam generating units for which construction commenced after September 18, 1978;

- Incinerators.
- Municipal waste combustors;
- Portland cement plants;
- Sulfuric acid plants;
- Nitric acid plants;
- Asphalt concrete plants (hot mix asphalt facilities);
- Petroleum refineries;
- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973 and prior to May 19, 1978;
- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978 and prior to July 23, 1984;
- Secondary lead smelters;
- Secondary brass and bronze ingot production plants;
- Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;
- Sewage treatment plants, incinerators;
- Phosphate fertilizer industry for:
  - Wet process phosphoric acid plants;
  - Super phosphoric acid plants;
  - Diammonium phosphate plants;
  - Triple superphosphate plants;
- Granular triple superphosphate storage facilities;
- Primary aluminum reduction plants;
- Coal preparation plants;
- Primary copper smelters;
- Primary zinc smelters;
- Primary lead smelters;
- Steel plant electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;
- Ferroalloy production;
- Lime Manufacturing plants;
- Kraft pulp mills;
- Grain elevators;
- Stationary gas turbines;
- Ammonium sulfate manufacture;
- Glass manufacturing plants;
- Automobile and Light-duty truck surface coating operations;
- Asphalt processing and asphalt roofing manufacture;
- Industrial surface coating: large appliances;
- Surface coating of metal furniture;
- Metal coil surface coating;
- Graphic arts industry: Publication Rotogravure Printing;
- Beverage can surface coating industry;
- Metallic mineral processing plants;
- Pressure sensitive tape & label surface coating operations;
- Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;
- Bulk-gasoline terminals;
- Synthetic fiber production facilities;
- Lead-acid battery manufacturing plants;
- Equipment leaks of VOC in petroleum refineries;
- Flexible vinyl & urethane coating and printing;
- Petroleum dry cleaners;
- Phosphate rock plants;
- Equipment leaks of VOC from onshore natural gas processing plants;
- Electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;
- Onshore natural gas processing: SO₂ emissions;
- Non-metallic mineral processing plants;
- Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;
- Wool fiberglass insulation manufacturing plants;
- Industrial Surface Coating: plastic parts for business machines;
- Industrial-commercial-institutional steam generating units;
- Rubber Tire Manufacturing Industry;
- Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed on or after July 23, 1984;
- Calciners and Dryers in Mineral Industries;
- Municipal Solid Waste Landfills;
- Small industrial-commercial-institutional steam generating units;
- Hospital/medical/infectious waste incineration;
- Volatile organic compound (VOC) emissions from the polymer manufacturing industry;
- Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;
- Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) distillation operations;

- Volatile organic compound (VOC) emissions from petroleum refinery wastewater systems;

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

- Magnetic tape coating facilities;

- Polymeric coating of supporting substrates facilities;

- 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;

18. Emission limitations for hospital/medical/infectious waste incineration;

19. Administrative procedures including emissions credit banking and emissions trading policy statements;

20. Emissions limitations and monitoring;

21. Regulation of malfunctions, start-ups, and shutdowns;

22. Alternate emissions limitations;

23. General policies or plans; [Ozone Attainment and Maintenance Plans (SIP); * Program Operating Procedures; Carbon Monoxide Maintenance Plan (SIP); Lead Maintenance Plan (SIP); Particulate Matter Control Plan (PM2.5);]

24. System of permits and/or certificates and emission fees to include the Title V Permit Program;

25. 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;

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

27. Requiring the furnishing of information from persons causing, or who may be about to cause air pollution;
28. Entering in or upon private or public property for the purpose of inspecting and investigating any air contaminant source;

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

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

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

32. Granting or denying petitions for variances after first submitting variances to be issued to the Tennessee Division of Air Pollution Control for review;

33. Regulation of Infectious Waste Incinerators;

34. Regulation of good engineering practice stack height requirements;

35. Abatement of air contaminants, uncombined water, or a combination which reduces visibility across any road to cause a hazard;

36. Transportation Conformity Rule requirements;

37. 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.

<table>
<thead>
<tr>
<th></th>
<th>CY 2020</th>
<th>CY 2021</th>
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</thead>
<tbody>
<tr>
<td>Number of Notices of Violation</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>Number of Warning Letters</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>Number of Orders for Corrective Action only</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of Civil Penalty Assessments only</td>
<td>6</td>
<td>13</td>
</tr>
<tr>
<td>Number of Civil Penalty Assessments and Orders for Corrective Action (both in the same order)</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Total Amount Assessed</td>
<td>$25,024.10</td>
<td>$45,591.00</td>
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<tr>
<td>-----------------------</td>
<td>------------</td>
<td>------------</td>
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<tr>
<td>Total Amount Collected</td>
<td>$25,024.10</td>
<td>$19,970.00</td>
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</tbody>
</table>

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

There were 106

3. How many asbestos compliance inspections were conducted in Federal FY2021?

We performed 140 inspections

   a. How many of these inspections included entry into containment areas during active removal to observe work practices?

There were 12 entries

4. How many Notices of Violation for asbestos/demolition were issued?

There were 4 NOVs issued

5. Are there any issues or concerns, regarding asbestos, with state owned facilities in your county?

The Shelby County Asbestos NESHAP Program has received complaints of poor work practices inside of state owned facilities but the Shelby County Asbestos NESHAP Program does not have the authority to inspect state owned facilities; that authority belongs to the state.

B. Staffing and Regulatory Authority

1. Please provide a current staff chart showing personnel and functions.

We have 26 staff in Air Pollution Control

2. Number of budgeted positions?

29 budgeted positions

3. Number of vacant positions?

Three

4. What steps are being taken to fill vacant position(s)?
Shelby County HR posts on the County’s website and we use “Indeed” to recruit.

5. Are there any expected staff cuts or expansions?

If we don’t get our Title V fee raised we may have to lay off in 2023 or 24

6. Is the State informed of regulatory changes? If so, how? If not, why not?

Yes

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?

No not all. But Shelby County Air code is available. https://www.shelbytnhealth.com/169/Air-Pollution-Control-Code

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.

No

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.

Attached. We have two open positions, “physician” and “citizen” but hope to fill the citizen position very soon. We have identified a person who has submitted an application. The physician position has been problematic to fill over the years.

2. Is your Air Board or Commission fully staffed?

Yes we provide staff support through our Pollution Control office

   a. If there are vacancies, how long have they existed and when do you anticipate that they will be filled?
Citizen position should be filled within next 2 months. Physician position we continue to try and recruit.

b. How often does your Board meet?

As needed for appeals and fee considerations

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?

No

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.

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

<table>
<thead>
<tr>
<th>Docket No.</th>
<th>Submission No.</th>
<th>Staff Contact</th>
<th>Submission Date</th>
<th>Statutory Due Date</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA-R04-DAR-2017-0626</td>
<td>TN 241</td>
<td>Brad/Audri</td>
<td>11/16/2016</td>
<td>11/16/2016</td>
<td>SSO SIP Call Responses</td>
<td>Recommended for action to EPA Office of Air Programs on 04/14/2016. Submission rejected to EPA Office of Air Programs on 06/27/2016 and is awaiting further comments.</td>
</tr>
<tr>
<td>TN 278</td>
<td>Sarah</td>
<td>3/21/2021</td>
<td>3/21/2021</td>
<td>Tennessee eNotes Previsions</td>
<td>Tennessee eNotes Previsions</td>
<td></td>
</tr>
</tbody>
</table>

E. Permit Program Operation

1. What sources are exempt from permit requirements?

Local rules regarding exemptions are identical to State found at 1200-3-9-.04

2. What is the frequency of operating permit renewal?

Though not set specifically by the code, operating permits are typically issued for 5 years

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

At present yes. Due to staff shortages we have saved money in the short run. However we are back to full staff and need to prepare to increase Title V fees in the next year.

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

At present yes. Due to staff shortages we have saved money in the short run. However we are back to full staff and need to prepare to increase Title V fees in the next year.

5. Have you 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.

Not in this reporting period
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.

None

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

It is rare for an application alone to generate a public hearing, but one would be scheduled and held if requested by the public during the public notice period.

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

Yes, a hearing is always scheduled for release of a preliminary determination on all PSD/NSR permits. The notice for Title V permits and modifications allows for the public to request a public hearing. If there is reason to believe there is a special public interest in a given facility, a hearing will be set for release of the draft permit as a matter of operation.

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?

Yes. A minimum 30 day comment period is required for all construction permit applications and modifications. The notices are physically published in the Daily News and sent out by e-mail to a list of people who have requested receipt of these notices, as well as to current Board members and a representative of each legislative body in Shelby County. We also offer a hard-copy direct mail-out for a nominal annual fee, but no one has signed up for that type of notice.

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?

Yes. For Title V permits only, draft permits are posted on the County website for review for a minimum of 30-day draft review period.

F. Compliance Monitoring

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

No

2. Explain the main enforcement problems, if any, in your county.
Ownership changes in gasoline dispensing facilities continues to be a challenge

3. Does your agency have source testing capability?

Very minimal

4. Are source tests witnessed?

Generally, all source tests are witnessed at least during some portion of the testing.

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.

<table>
<thead>
<tr>
<th>Source Type</th>
<th>Number of Sources</th>
<th>Frequency of Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title V sources:</td>
<td>28</td>
<td>Every two years</td>
</tr>
<tr>
<td>Conditional Major (synthetic minor):</td>
<td>98</td>
<td>Every two years</td>
</tr>
<tr>
<td>True Minor:</td>
<td>290</td>
<td>Every 3 years</td>
</tr>
</tbody>
</table>

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

Yearly reporting of emissions for emission inventory and fee payment purposes. Though the minimum inspection frequency is once every 2 years for major sources, an attempt is made to conduct yearly inspections. All Minor Sources are on a schedule of once every 3 years.

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

Valero #00101 NOx, SO2, O2, CO2 and CO
Nucor Steel #00710 CO, NOx, SO2
Penn-A-Kem #00274 NOx and O2
AB Mauri/Fleischmann's Yeast #00205 VOC
American Yeast #00904 VOC
Lucite Inc. #00475 SO2
TVA Combined cycle power plant CO, NOx, O2

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

No
G. Ambient Air Monitoring

1. Does the current monitoring network address all major source impacts? For example, are there any required Lead or SO\textsubscript{2} monitoring requirements, or PSD monitoring requirements, and if so, are they being met?

There are no source specific monitoring requirements in Shelby County.

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?

NA

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

Yes

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?

Yes, the most recent annual network review for 2020 is completed. Proposed changes were submitted for the sites and comments are provided:

1.) 47-157-0075 Shelby Farms SLAMS site for PM 2.5 and PM 10. Approved. When funds are available, Memphis intends to purchase a Teledyne API T640x sampler for the site. This monitor will replace the REM samplers at the site. A collocated FRM PM 2.5 sampler will remain at the site and will sample on a 1-in-3 day schedule.

2.) 47-157-0024 Alabama Ave. SLAMS site for PM 2.5 and PM 10. Approved. When funds are available a Teledyne API T640x sampler will be purchased and replace the FRM samplers at the site.

3.) 47-157-0100 Southwest TN Community College SLAMS site for PM 2.5. Approved. When funds are available a Teledyne API T640x sampler will be purchased and replace the FRM sampler at the site.

No corrective actions were recommended by the EPA.

5. Does your agency operate any Special Purpose Monitoring sites? If so, please describe.
No but we continue to work with EPA and the University of Memphis on Community Scale EPA grant air projects. A PAH focused project is about to be undertaken that should finish in 2023

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

None were found.

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

There are four outstanding findings and concerns that we are currently working on to complete. Due to 2 vacancies in the Air Monitoring Branch and the start up of PAMS by June 2021, limited time has been available to complete the findings and concerns. The remaining concerns and findings are:

1.) Concern 4.3.1 Forms used to document verifications and calibrations do not have sufficient information to fully verify and validate data.
2.) Concern 4.3.2 Information recorded on forms and logbooks was incomplete and/or missing. (This is based on approval of SOPs.)
3.) Concern 4.4.3 Data are not being fully validated to ensure all measurement quality objectives are satisfied. (This is contingent of approval of SOPs)
4.) Finding 4.5.2 Standard operating procedures are out of date and do not reflect current practices.

These findings and concerns will be addressed as soon as additional staffing is available and as time allows.

H. Air Quality Data Management Systems

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

We submit directly to the AQS on a monthly basis

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

This Agency follows the recommendations in the QMP and QAPP approved by EPA

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

Yes, QA/QC procedures follow the recommendations described in the updated QAPP under revision by EPA.

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.
YES

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

2/1/2024

6. Who is the quality assurance coordinator?

Judy Low

7. What laboratory facilities are available? Please explain.

EPA Region IV laboratory for certification of the Level 2 ozone transfer standard; Inter Mountain Labs for PM 2.5 analysis, PM 2.5 speciation analysis is performed by Amec Foster Wheeler of Gainsville FL and the laboratory analysis contract is performed by the University of California at Davis, Air Monitoring Lab.

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?

As emissions fall we face a decline in revenue. Our last hike in our fees was in 2017. We will have to raise fees in the next year or two without a doubt. Additional strains have been put on Pollution Control due to our deployment of staff to run COVID response centers. This took staff away from performing their normal duties. Hopefully this will not happen again.

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?

Monitoring equipment is adequate. But, we need to continue to update instrumentation due to aging. Also, we will need to continue to update the PM network to continuous samplers to minimize the cost for filter analysis and shipping. We have added a new building for our PAMs system and installed the required equipment with the exception of three pieces of met equipment (i.e. solar radiation, UV radiation and precipitation.)
4. Please list any recent Local Program accomplishment and highlights.

The construction our new PAMs site was huge accomplishment.

Continuing to work with University of Memphis and EPA on the 3rd PAH Special Study Grant.

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.

The local response to COVID utilized staff from Pollution Control to respond to the public. This slowed work within Pollution Control during that time. This has ceased and personnel from Pollution Control will no longer be used in the COVID response.

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

<table>
<thead>
<tr>
<th>Tennessee Division of Air Pollution Control Regulations</th>
<th>Local Program Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter</td>
<td>Description</td>
</tr>
<tr>
<td>1200-03-01</td>
<td>General Provisions</td>
</tr>
<tr>
<td>1200-03-02</td>
<td>Definitions</td>
</tr>
<tr>
<td>1200-03-03</td>
<td>Ambient Air Quality Standards</td>
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<tr>
<td>1200-03-04</td>
<td>Open Burning</td>
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<tr>
<td>Chapter</td>
<td>Description</td>
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<td>----------</td>
<td>--------------------------------------------------</td>
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<tr>
<td>1200-03-05</td>
<td>Visible Emission Regulations</td>
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<td>1200-03-06</td>
<td>Non-process Emission Standards</td>
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<td>1200-03-07</td>
<td>Process Emission Standards</td>
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<td>1200-03-08</td>
<td>Fugitive Dust</td>
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<td>1200-03-09</td>
<td>Construction and Operating Permits</td>
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<td>1200-03-10</td>
<td>Required Sampling, Recording, and Reporting</td>
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<td>1200-03-11</td>
<td>Hazardous Air Contaminants</td>
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<td>1200-03-12</td>
<td>Methods of Sampling and Analysis</td>
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<td>1200-03-13</td>
<td>Violation</td>
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<td>1200-03-14</td>
<td>Control of Sulfur Dioxide Emission</td>
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<td>1200-03-15</td>
<td>Emergency Episode Plan</td>
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<td>1200-03-16</td>
<td>New Source Performance Standards</td>
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<td>1200-03-17</td>
<td>Reserved</td>
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<td>1200-03-18</td>
<td>Volatile Organic Compounds</td>
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<td>1200-03-19</td>
<td>Emission Standards and Monitoring Requirements for Additional Control Areas</td>
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<td>1200-03-20</td>
<td>Limits on Emissions Due to Malfunction, Startups and Shutdowns</td>
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# Table of Regulations

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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):

Shelby County, Memphis, Arlington, Bartlett, Collierville, Germantown, Lakeland, and Millington

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: [Signature]

Petition for Certificate of Exemption
Print Name: Larry J. Smith
Title: Acting Manager Pollution Control
Date: 7-13-21