



Department of
**Environment &
Conservation**

Overview of Permitting for Non-Title V Facilities



Department of
**Environment &
Conservation**

Why does the State of Tennessee Regulate Air Pollution?



TCA 68-201-103 (in pertinent part)

- It is the intent and purpose of this (law) to maintain purity of the air resources of the state consistent with the protection of normal health, general welfare and physical property of the people, maximum employment and the full industrial development of the state.
- The board and department shall seek the accomplishment of these objectives through the prevention, abatement and control of air pollution by all practical and economically feasible methods.

Via Laws, Regulations & Permits



How does the State of Tennessee “maintain purity of the air resources”?

Who Needs a Construction Permit?

- Any person wishing to construct an air contaminant source or to modify an existing air contaminant source, is required to obtain a construction permit from the Division
- Exemptions
- Insignificant Activities/Emission Units

Regulated Air Pollutants

- Particulate Matter (PM)
- Volatile Organic Compounds (VOC)
- Nitrogen Oxides (NO_x)
- Carbon Monoxide (CO)
- Sulfur Dioxide (SO₂)
- Hazardous Air Pollutants (HAPs)
- Other Air Pollutants

Regulated Air Pollutants (cont.)

- Hazardous Air Pollutants (HAPs)
- Approx. 187 Compounds
- Examples:
 - VOC HAPs: Toluene, Xylene, MIBK, Benzene
 - Non-VOC HAPs: HCl, HF
 - Particle HAP: Lead & Chromium Compounds

Operating Permit – Facility Classifications

- Title V
 - 100 ton/yr of any air pollutant
 - 10 ton/yr of a single HAP
 - 25 ton/yr of any combination of HAPs
- Non-Title V
 - Conditional Major & True Minor

Facility Classifications (cont.)

- Conditional Major
 - PTE greater than Title V thresholds
 - Permit Limits below Title V thresholds
- True Minor
 - PTE less than Title V thresholds

Internet Resources

- Regulations & Forms online
- [Air Quality Construction Permit \(tn.gov\)](http://tn.gov)

Permit Programs & Field Offices:

- Four Permit Programs
 - Permit Writers in Nashville Central Office and Knoxville Environmental Field Office
- Environmental Field Offices-7 Locations
 - Facility Inspections
 - Report review
 - Complaint Investigations

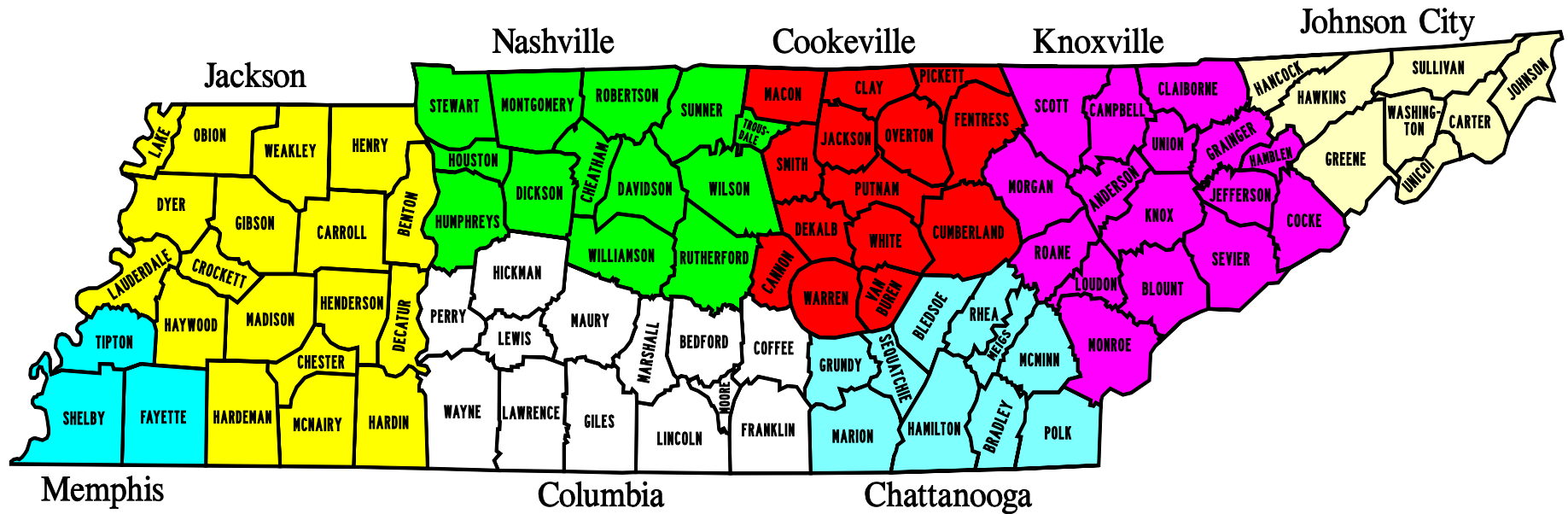
Permit Programs

- The Division has re-structured the permit programs into sector-based categories rather than geographical categories.
 - Permitting - Composite Materials Section: **Will Collins**
 - Permitting - Chemicals and Food Permitting Section: **Jill Pratt**
 - Permitting - Metal, Paper and Wood Permitting Section: **Doug Wright**
 - Permitting - Surface Coating & Combustion Permitting Section: **John Fuss**

Local Programs

- Four Counties:
Knox, Hamilton, Shelby, Davidson

MAP-Permit Programs & Environmental Field Offices



Note: For the Division of Air Pollution Control, the Jackson Field Office covers Jackson & Memphis Field Office counties.

Construction Permits - Overview

- Application Forms & Fee
- Application Process
- Public Notice
- Permit Content

Construction Permits - Application Forms

Previous Form Title	ID	Form Title
Permit Application Form	APC 100	Facility Identification
Emission Point Description Form	APC 101	Emission Point Description
Process Or Fuel Burning Source Description Form	APC 102	Process Or Fuel Burning Source Description
Incinerator Source Description Form	APC 103	Incinerator Source Description
Storage Tank Description Form	APC 104	Storage Tank Description
Degreaser Description Form	APC 105	Degreaser Description
Oven Source Description Form	APC 106	Oven Source Description
Surface Coating Description Form	APC 107	Surface Coating Description
Asphalt Plant Source Description Form	APC 108	Asphalt Plant Source Description

Construction Permits - Application Forms (cont.)

Previous Form Title	ID	Form Title
Rock Crushing Source Description Form	APC 109	Rock Crushing Source Description
Dry Cleaner Source Description Form	APC 110	Dry Cleaner Source Description
Concrete Batch Plant Source Description Form	APC 111	Concrete Batch Plant Source Description
Coal Preparation Source Description Form	APC 112	Coal Preparation Source Description
Cyclone Description Form	APC 113	Cyclone Description
Stage I and Stage II Vapor Recovery	APC 114	Gasoline Dispensing Facility Description
Proposed Schedule of Corrective Action	APC 115	Proposed Schedule of Corrective Action
N/A	APC 116	Cotton Gin Description

Construction Permits - Application Forms (cont.)

- Miscellaneous Process Emission Sources, and Fuel Burning Sources - APC 100, 101 , & 102
- Incinerators - APC 100 & 103
- Surface Coating Operations - APC 100 & 107
- Asphalt Plants - APC 100 & 108
- Woodworking Operations - APC 100, 101, & 102. Include APC-113s for any cyclones
- Feed Mills & Grain Elevators - APC 100, 101, & 102. Include APC-113s for any cyclones

Construction Permits - Application Fee

Anticipated Maximum Emission Rate (ton/yr)	Permit Fee
less than 10	\$100
10 to less than 100	\$500
100 to less than 250	\$1,000
250 to less than 500	\$2,000
500 to less than 1,000	\$3,000
1,000 to less than 5,000	\$4,000
5,000 or greater	\$5,000

Construction Permits - Application Process

- Apply 90 to 120 days prior to construction
- 30 day TDAPC review period
- Applicant notified in writing of application deficiencies
- Application deemed complete

Construction Permits - Application Process (cont.)

- Public Notice-30 day comment period
- Town Meeting (possible)
- Draft Permit
- Permit Issued or Denied
- Permit conditions may be appealed

Construction Permits - Content

- New template for construction permits
- Limits on pollutants:
 - PM, VOC, NO_x, CO, SO₂, HAPs, etc.
- Opacity limits
- Recordkeeping to show compliance

Construction Permits - Content

- NSPS-New Source Performance Standards
- NESHAP-National Emission Standard for Hazardous Air Pollutants

Operating Permits - Overview

- Application Forms & Annual Emissions Fee
- Application Process
- Public Notice (for certain Conditional Major facilities)
- Permit Content

Operating Permits - Application Forms

- Submit complete application, not just form APC 100

Operating Permits - Conditional Major

- Conditional Major Permit-combines all sources and
- Limits entire facility below Title V thresholds
 - 100 ton/yr for criteria pollutants
 - 10 ton/yr for a single HAP
 - 25 ton/yr for combination of HAPs
- Contains adequate methods to prove compliance with the more restrictive limits the facility take to stay out of Title V

Operating Permits - Conditional Major

- Public Notice (only for initial conditional major permit, not renewal) & Draft Permit
 - 30-day Comment Period
 - EPA & Affected States review
 - Public review

Operating Permits - Conditional Major

- Annual Report
 - Submit to Field Office
 - Due March 31
 - Compliance Statement
 - Submit Records

Operating Permits - Timeline

- Operating permit renewal
 - Apply at least 60 days prior to permit expiration
- Permits usually expire in ten years

Operating Permits - Content

- Same as Construction permit
- Limits on pollutants: PM, VOC, NO_x, CO, SO₂, HAPs, etc.
- Recordkeeping to show compliance

Operating Permits - Fees

- No application fee
- Annual emission fee
 - Currently \$18.75 per ton of air pollutant
 - Based on Allowable Emissions
 - No annual emission fee for CO
- Conditional major permit review fee

Annual Emission Fee for a True Minor Source

- Example (tpy - tons per year):
40 tpy VOC, 10 tpy PM, 15 tpy CO
- Billable tonnage = $40 + 10 = 50$
- Fee = $(50 \text{ tpy}) \times (\$18.75/\text{ton})$
 $= \$937.50$

Conditional Major Permit Review Fee

- In addition to annual emission fee
- Includes CO emissions

Allowable Tons Per Year Review Fee	
0 - 50 ton/yr	\$250
50.1 - 100 ton/yr	\$500
100.1 - 250 ton/yr	\$1,000
250.1 ton/yr and up	\$2,000



\$\$\$
Do you want to save your
company money?
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Operating Permits - Annual Emission Fee

- Upon mutual agreement of the company and the Division, a more restrictive regulatory requirement may be established to minimize the allowable emissions and thus the annual emission fee.

TAPCR 1200-03-26-.02(6)(b)

General Permits

- APC has the authority to issue general permits
- General permits
 - a single Permit issued by TDEC for a specific type of facility
 - provide a streamlined permitting process
 - have similar, if not identical, emission limits and monitoring, recordkeeping, and reporting requirements as traditional permits
 - are issued for ten years or less
 - serve as both construction and operating permits for eligible sources

General Permits

- General Permits available:
 - Perchloroethylene (G00001) dry cleaners – issued February 2, 2017
 - Petroleum solvent (G00002) dry cleaners - issued February 2, 2017
 - Concrete Batch Plants with emissions less than 10 tpy (G00003) – issued March 12, 2024
 - Nonmetallic Mineral Crushing and Sizing Operations (G00004) – issued April 19, 2024
 - Concrete Batch Plants with emissions less than 79.9 tpy (G00005) – issued May 16, 2025
- General Permits coming soon:
 - Asphalt Plants
 - Air Curtain Incinerators

General Permits (non-Title V)

- Sources submit a “notice of intent” (NOI) to receive coverage under a general permit, and the Technical Secretary issues a Notice of Coverage (NOC) to eligible sources
- Lists of facilities who have submitted NOIs for construction or modification under a general permit will be published on TDEC’s website at least monthly
 - The public must have at least 30 days to provide comments per TAPCR 1200-03-09-.06(3) and 1200-03-09-.01(1)(h).
- Sources covered under a general permit through a Notice of Coverage must apply for renewal of coverage not less than 60 days prior to expiration of the general permit.

General Permits

- Construction Fees

- An NOI serving as a construction permit shall pay a permit application fee equal to that determined in accordance with the TAPCR 1200-03-26-.02(g), Schedule A fee corresponding to the applicant's AMER, unless an alternate construction permit application fee is stipulated in the following table:

General Permit Category	Construction and Modification Permit Application Fee
Perchloroethylene and Petroleum Solvent Dry Cleaners	\$100
Concrete batch plants	\$100
Nonmetallic Mineral Crushing and Sizing Operations	\$100
Asphalt plants	\$250
Air Curtain Incinerators	\$500

General Permits

- Operating Fees

- A responsible official of a source operating under a general permit shall pay an annual emissions fee as stipulated in TAPCR 1200-03-26-.02(e) based on the allowable emissions specified in the general permit unless different fee rates are stipulated in the following table. These fees are due and payable by the date established in TAPCR 1200-03-.26-.02(c):

General Permit Category	Combined Annual Emission Fee and Base Fee	Permit Review Fee
Perchloroethylene and Petroleum Solvent Dry Cleaners	\$0	\$0
Concrete Batch Plants with emissions less than 10 tons per calendar year	\$0	\$0
Concrete Batch Plants with emissions greater than or equal to 10 tons per calendar year	\$400	\$0
Portable rock crushers at True Minor Facilities	\$1,000	\$0
Portable rock crushers at Conditional Major Facilities	\$1,000	\$500
Asphalt Plants	\$1,000	\$500

General Permits

- General Permits, NOIs, and the instructions to complete the NOIs, are available on the TDEC website.
- www.tn.gov/environment/permit-permits/air-permits/general.html



Questions?