

The Tennessee Division of Air Pollution Control (TDAPC) will be hosting a public hearing before the Technical Secretary of the Board regarding proposed revisions to rule .06 General Permits of Chapter 1200-03-09 Construction and Operating Permits. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated sections 4-5-201 to -231 and will take place in Conference Room 1-B of the Davy Crockett Tower, Floor 1, 500 James Robertson Parkway, Nashville, Tennessee 37243 on May 6, 2026 at 10:00 a.m.

The proposed amendments to rule .06 of Chapter 1200-03-09 will extend eligibility of general permit coverage to conditional major sources, which are sources that accept permit limitations to avoid the requirement to obtain an individual major source operating permit. Specifically, sources choosing to opt out of the requirements of the Title V operating permit program would be eligible for coverage under a general permit under specific conditions. The amendments will also clarify that sources subject to the Title V operating permit program may be eligible for coverage under a general permit established in accordance with existing provisions in the Title V regulations.

The documents detailing the public hearing time, location and remote access capabilities can be reviewed via the following links: [Draft Rule](#) and [Red-Line Version](#)

Ms. Lacey Hardin is the assigned Division personnel.

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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>	Air Pollution Control Board
<b>Division:</b>	Air Pollution Control
<b>Contact Person:</b>	Lacey Hardin
<b>Address:</b>	Davy Crockett Tower, 7 <sup>th</sup> Floor 500 James Robertson Parkway Nashville, Tennessee 37243
<b>Phone:</b>	(615) 917-8948
<b>Email:</b>	<a href="mailto:Lacey.Hardin@tn.gov">Lacey.Hardin@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>	Davy Crockett Tower, 6 <sup>th</sup> Floor 500 James Robertson Parkway Nashville, Tennessee 37243
<b>Phone:</b>	615-532-0200 Hearing-impaired callers may use the TN Relay Service 1-800-848-0298
<b>Email:</b>	<a href="mailto:ask.tdec@tn.gov">ask.tdec@tn.gov</a>

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

Address 1:	Conference Room 1-B, 1st Floor		
Address 2:	Davy Crockett Tower 500 James Robertson Parkway		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date:	05/06/2026		
Hearing Time:	10:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

**Alternate Hearing Option**

<b>Method 1:</b>	Microsoft Teams meeting  <b>Join on your computer, mobile app or room device</b> <a href="https://teams.microsoft.com/meet/21149375591398?p=b2qduBBNsGrko2w4Ud">https://teams.microsoft.com/meet/21149375591398?p=b2qduBBNsGrko2w4Ud</a> Meeting ID: 211 493 755 913 98 Passcode: zd9Mf7Fi <a href="#">Download Teams</a>   <a href="#">Join on the web</a>
<b>Method 2:</b>	<b>Join with a video conferencing device</b> <a href="mailto:stateoftn@m.webex.com">stateoftn@m.webex.com</a> Video Conference ID: 111 025 805 8

	<a href="#">More info</a>
<b>Method 3:</b>	<b>Or call in (audio only)</b> <a href="#">+1 629-209-4396</a> ., <a href="#">144661495#</a> United States, Triune <a href="#">Find a local number</a> Phone conference ID: 144 661 495#

**Additional Hearing Information:**

*If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Rachael Maitland at (423) 836-8925 or [tdec.titlevi@tn.gov](mailto:tdec.titlevi@tn.gov) for more information. Si le resulta difícil leer, hablar o entender inglés, TDEC puede proporcionar servicios de traducción o interpretación sin cargo. Comuníquese con Rachael Maitland al (423) 836-8925 o [tdec.titlevi@tn.gov](mailto:tdec.titlevi@tn.gov) para obtener más información.*

This rulemaking would extend eligibility for general permit coverage to conditional major sources, which are sources that accept permit limitations to avoid the requirement to obtain an individual major sources operating permit. Specifically, sources choosing to opt out of the requirements of the Title V operating permit program would be eligible for coverage under a general permit provided that the general permit includes adequate conditions to limit the facility's potential to emit and recordkeeping to prove compliance with those limits.

The Air Pollution Control Board is also proposing these revisions as changes to Tennessee's State Implementation Plan.

Oral or written comments are invited at the hearing. In addition comments may be submitted prior to or after the public hearing to: Department of Environment and Conservation, Division of Air Pollution Control, Davy Crockett Tower, 500 James Roberson Parkway, 7<sup>th</sup> Floor, Nashville, Tennessee 37243 or via email to [Air.Pollution.Control@tn.gov](mailto:Air.Pollution.Control@tn.gov). However, such written comments must be received by 4:30 PM Central Time, on May 6, 2026, to assure consideration. For further information, please contact Lacey Hardin at the above address or telephone number or by e-mail at [Lacey.Hardin@tn.gov](mailto:Lacey.Hardin@tn.gov).

**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.)

Chapter Number	Chapter Title
1200-03-09	Construction and Operating Permits
Rule Number	Rule Title
1200-03-09-.06	General Permits.

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

Chapter 1200-03-09  
Construction and Operating Permits

Amendments

Paragraph (1) of Rule 1200-03-09-.06 General Permits is amended by deleting it in its entirety and substituting instead the following:

- (1) Applicability.
  - (a) This rule does not apply to sources that are subject to the provisions of paragraph (11) of Rule 1200-03-09-.02, which may be eligible for coverage under a general permit established pursuant to part (11)(e)4 of Rule 1200-03-09-.02.
  - (b) Sources that have opted out of being subject to the provisions of paragraph (11) of Rule 1200-03-09-.02 by limiting their potential to emit such that they are below relevant applicability threshold(s) may be eligible to obtain a general permit if the general permit contains enforceable restrictions limiting the source's potential to emit to below relevant applicable thresholds, requires monitoring and reporting sufficient to document compliance with thresholds, and the source is not otherwise required to be subject to the Title V operating permit program of the Federal Clean Air Act.
  - (c) Sources located in a nonattainment area are not eligible for a general permit for construction of a new or modified air contaminant source if the source emits the pollutant and/or a precursor to the pollutant for which the area has been designated nonattainment by the United States Environmental Protection Agency or the Tennessee Air Pollution Control Board.

Authority: T.C.A. §§ 4-5-201 et seq. and 68-201-101 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: March 12, 2026

Signature: *Michelle W. Owenby*

Name of Officer: Michelle W. Owenby

Title of Officer: Director of the Division of Air Pollution Control

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Secretary of State

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- ~~(b)(c)~~ Sources located in a nonattainment area are not eligible for a general permit for construction of a new or modified air contaminant source if the source emits the pollutant and/or a precursor to the pollutant for which the area has been designated nonattainment by the United States Environmental Protection Agency or the Tennessee Air Pollution Control Board.

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Name of Officer: Michelle W. Owenby

Title of Officer: Director of the Division of Air Pollution Control

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