

**TENTATIVE AGENDA
STATE OF TENNESSEE
REGULAR MEETING
AIR POLLUTION CONTROL BOARD
Nashville Room, 3rd Floor Tennessee Tower
312 Rosa L. Parks Avenue
In Person and
Remote Access Via WebEx link**

**Wednesday, April 10, 2024
9:30 A.M.**

******Public Comments:** If you wish to speak on topic(s) shown here, please print your name on the Sign-In Sheet provided at the guest table or type your name into the Webex chat box. Someone will recognize you during the meeting for comments or questions. *********

	Item	Presenter	Page
1.	Roll Call		
2.	Approval of the March 13, 2023, Board Meeting Minutes		03
3.	Revised Title V Form Title V APC 1 Application Form BO# 24-008 **Comments from the Public or Online participants**	Lacey Hardin	09
4.	Local Program Certificates of Exemption Davidson County Certificate of Exemption BO# 24-004 Hamilton County Certificate of Exemption BO# 24-005 Knox County Certificate of Exemption BO# 24-006 Shelby County Certificate of Exemption BO# 24-007 **Comments from the Public or Online participants**	Marc Corrigan	15
	General Business: Tennessee Volunteer Emissions Reduction Strategy-Planning and Implementation	Mary-Margaret Chandler	67
	Small Business Environmental Assistance Program (SBEAP)	Donovan Grimwood Crystal Warren	89
	Comments from the Public or Online Participants		

The meeting will be held in compliance with Tennessee Code Annotated Section 8-44-108, as amended by Chapter 490 of the 1999 Public Acts of the Tennessee General Assembly. The meeting will be conducted permitting participation by electronic or other means of communication. Consequently, some members of the Tennessee Air Pollution Control Board are allowed to and may participate by electronic or other means of communication and may not be physically present at the announced location of the meeting.

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This agenda is subject to change. For the latest board agenda, please contact: Donna F. Brown (615)-532-0532 or donna.f.brown@tn.gov (Email is preferred for prompt reply).

Air Pollution Control Board
of the
State of Tennessee
Regular Meeting

On Wednesday March 13, 2023, at 9:30 A.M., the Air Pollution Control Board of the State of Tennessee, (hereinafter, referred to as the “Board”), began its meeting on the 3rd Floor of the Tennessee Tower in the Nashville Room. The following Board members were physically present.

Dr. Ronne’ Adkins
Mr. Kyle Etheridge
Mr. Mike Haverstick
Mayor Ken Moore
Mr. Stephen Moore
Ms. Caitlyn Roberts
Ms. Amy Spann
Mayor Larry Waters
Mr. Jimmy West

The following Board members joined the meeting via WebEx.

Dr. John Benintez
Dr. Joshua Fu

The following Board member was absent:

Dr. Shawn Hawkins
Dr. Chunrong Jia
Mr. Nicholas Ramos

Since the Chairman, David Salyers, P.E., could not attend the meeting, Dr. Ronne’ Adkins represented the Chairman by proxy. Ms. Michelle Owenby, Director, Division of Air Pollution Control, served as Technical Secretary.

The Vice-Chairman, Mayor Larry Waters, called the meeting to order and asked for a roll call and the response was as follows:

Dr. Adkins	Present	Dr. Benitez	Webex
Mr. Etheridge	Present	Dr. Fu	Webex
Mr. Haverstick	Present	Mr. Hawkins	Absent
Dr. Jia	Absent	Mayor Moore	Present
Mr. Moore	Present	Ms. Roberts	Present
Mr. Ramos	Absent	Ms. Spann	Present
Mayor Waters	Present	Mr. West	Present

Nine (9) Board members were present, two (2) participated via WebEx and three (3) were absent.

The next item on the agenda was the approval of the minutes from the January 10, 2024, Board meeting. The Vice-Chairman requested a motion to approve the minutes. Mayor Moore made a motion to approve the minutes and Mr. Haverstick seconded the motion. The Vice-Chairman asked if there were any additions or corrections to the minutes. Hearing none, the Vice-Chair asked for a roll call and the response was as follows:

Dr. Adkins	Yes	Dr. Benitez	Yes
Mr. Etheridge	Yes	Dr. Fu	Yes
Mr. Haverstick	Yes	Dr. Hawkins	Absent
Dr. Jia	Absent	Mayor Moore	Yes
Mr. Moore	Yes	Ms. Roberts	Yes
Mr. Ramos	Absent	Ms. Spann	Yes
Mayor Waters	Yes	Mr. West	Yes

The motion carried with Eleven (11) affirmative votes; the minutes were approved as presented.

Mayor Waters then invited Mr. Mark Reynolds to the podium.

Mr. Reynolds presented the Knoxville Area Second Ozone Maintenance Plan. The Tennessee Department of Environment and Conservation (TDEC) has prepared the Knoxville Area Second Ozone Maintenance Plan. The United States Environmental Protection Agency (EPA) promulgated a revised Ozone NAAQS of 75 parts per billion on March 12, 2008. EPA designated the Knoxville area, which includes part of Anderson County and all of Blount and Knox Counties, as nonattainment on May 21, 2012. On November 14, 2014, TDEC requested that EPA redesignate the Knoxville Area to attainment. On July 13, 2015, the EPA approved the redesignation request and maintenance plan with an effective date of August 12, 2015.

The Knoxville Area Second Ozone Maintenance Plan was prepared in accordance with Section 175A of the Clean Air Act and the EPA guidance documents. The Knoxville Area Second Ozone Maintenance Plan includes an attainment emissions inventory, maintenance demonstration, monitoring data, verification of continued attainment, motor vehicle emission budgets (MVEB's), and a contingency plan. The Knoxville Area Second Ozone Maintenance Plan will last until 2035. A public hearing notice was posted on the TDEC website on January 12, 2024. A Public Hearing was held on February 20, 2024. The end of the public comment period was February 20, 2024. Following the Board's approval, the Knoxville Area Second Ozone Maintenance Plan shall be adopted.

The Vice-Chairman requested a motion to approve the Knoxville Area Second Ozone Maintenance Plan BO-24-002. Mayor Moore made a motion to approve, and Mr. Haverstick seconded the motion.

The Vice-Chair asked for a Roll Call and the response was as follows:

Dr. Adkins	Yes	Dr. Benitez	Yes
Mr. Etheridge	Yes	Dr. Fu	Yes
Mr. Haverstick	Yes	Dr. Hawkins	Absent
Dr. Jia	Absent	Mayor Moore	Yes
Mr. Moore	Yes	Ms. Roberts	Yes
Mr. Ramos	Absent	Ms. Spann	Yes

Mayor Waters	Yes	Mr. West	Yes
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The motion carried with Eleven (11) affirmative votes; Knoxville Area Second Ozone Maintenance Plan BO-24-002 was approved.

Mayor Waters invited James Johnston to the podium.

Mr. Johnston presented the Revised Title V Applications. In April 1994, the Tennessee Air Pollution Control Board approved the Major Source Permit Applications as required by item 1200-03-09-.02(11)(d)1(ii)(I) of the Tennessee Air Pollution Control Regulations. The Division of Air Pollution Control has revised the Major Source Permit Applications to update the Division of Air Pollution Control's address because of the move to the Davy Crockett Tower, and these revisions require Board approval.

State of Tennessee
 Department of Environment and Conservation
 Division of Air Pollution Control
 Davy Crockett Tower, 7th Floor.
 500 James Robertson Parkway Nashville, TN 37243
Air.Pollution.Control@Tn.gov

The Vice-Chairman requested a motion to approve the Revised Title V Application BO# 24-003. Mr. Etheridge made a motion to approve, and Ms. Spann seconded the motion.

The Vice-Chair asked for a Roll Call and the response was as follows:

Dr. Adkins	Yes	Dr. Benitez	Yes
Mr. Etheridge	Yes	Dr. Fu	Yes
Mr. Haverstick	Yes	Dr. Hawkins	Absent
Dr. Jia	Absent	Mayor Moore	Yes
Mr. Moore	Yes	Ms. Roberts	Yes
Mr. Ramos	Absent	Ms. Spann	Yes
Mayor Waters	Yes	Mr. West	Yes

The motion carried with Eleven (11) affirmative votes; Revised Title V Application BO# 24-003 was approved.

Mayor Waters then invited Mr. Grant Ruhl to the podium.

Mr. Grant Ruhl, Office of General Council presented recommendation for the Withdrawal of NSPS Rules. Filing Form for Stay of Effective Date on Rules, Withdrawal of Stay, and Withdrawal of Rules.

The Vice-Chairman requested a motion to approve the Withdrawal of NSPS Rulemaking. Mr. Moore made a motion to approve, and Mayor Moore seconded the motion.

The Vice-Chair asked for a Roll Call and the response was as follows:

Dr. Adkins	Yes	Dr. Benitez	Yes
Mr. Etheridge	Yes	Dr. Fu	Yes
Mr. Haverstick	Yes	Dr. Hawkins	Absent
Dr. Jia	Absent	Mayor Moore	Yes
Mr. Moore	Yes	Ms. Roberts	Yes
Mr. Ramos	Absent	Ms. Spann	Yes
Mayor Waters	Yes	Mr. West	Yes

The motion carried with Eleven (11) affirmative votes; Withdrawal of NSPS Rulemaking was approved.

Mayor Waters then invited Mr. Travis Blake to the podium.

Mr. Blake briefed the Board on the upcoming repeal of 12 rules in accordance with the retrospective review directed by the Governor's office."

There being no further business to discuss before the Board, nor members of the public wishing to address the Board, the meeting was adjourned at 10:10 am.

(Signed) Michelle Owenby, Technical Secretary
Tennessee Air Pollution Control Board

Approved at Nashville, Tennessee on _____

(Signed) Mayor Larry Waters, Vice-Chairman
Tennessee Air Pollution Control Board

(Signed) David Salyers, Chairman
Tennessee Air Pollution Control Board



Department of
**Environment &
Conservation**

Changes to Title V Application APC 1

April 10, 2024

Summary of Changes

- Addition of Secretary of State Control Number
- Expanded options for permit/modification type
- Added construction start date and estimated completion date
- Addition of a section to describe changes that have been or will be made since the last application
- Addition of a section for comments



TITLE V PERMIT APPLICATION FACILITY IDENTIFICATION

SITE INFORMATION			
1a. Organization's legal name		1b. SOS control number [as registered with the TN Secretary of State (SOS)]	
2. Site name (if different from legal name)			
3. Is a construction permit application fee being submitted? (see instructions for appropriate fee to submit) Yes ☐ No ☐			
4. Site address (St./Rd./Hwy.)		5. NAICS or SIC Code	
City or distance to nearest town		Zip code	County name
6. Site location (in Lat./Long)	Latitude	Longitude	
CONTACT INFORMATION (RESPONSIBLE OFFICIAL)			
7. Responsible official contact		Phone number with area code	
Mailing address (St./Rd./Hwy.)		Fax number with area code	
City	State	Zip code	Email address
CONTACT INFORMATION (TECHNICAL)			
8. Principal technical contact		Phone number with area code	
Mailing address (St./Rd./Hwy.)		Fax number with area code	
City	State	Zip code	Email address
CONTACT INFORMATION (BILLING)			
9. Billing contact		Phone number with area code	
Mailing address (St./Rd./Hwy.)		Fax number with area code	
City	State	Zip code	Email address

(OVER)

TYPE OF PERMIT REQUESTED		
10. Operating permit Initial application ☐ Permit renewal ☐	Date construction started Last permit number(s)	Date completed Emission Source Reference Number(s)
Construction permit PSD Minor ☐ PSD Major ☐	Construction starting date	Completion date
Modification Administrative permit amendment ☐ Minor permit modification ☐ Significant modification ☐	Date modification started or will start	Date completed or will complete
HAZARDOUS AIR POLLUTANTS, DESIGNATIONS, AND OTHER PERMITS ASSOCIATED WITH FACILITY		
11. Is this facility subject to the provisions governing prevention of accidental releases of hazardous air contaminants contained in Chapter 1200-03-32 of the Tennessee Air Pollution Control regulations? _____ Yes _____ No If the answer is Yes, are you in compliance with the provisions of Chapter 1200-03-32 of the Tennessee Air Pollution Control regulations? _____ Yes _____ No		
12. If facility is located in an area designated as “Non-Attainment” or “Additional Control”, indicate the pollutant(s) for the designation.		
13. List all valid Air Pollution permits issued to the <u>sources contained in this application</u> [identify all permits with most recent permit numbers and emission source reference numbers listed on the permit(s)].		
14. Describe changes that have been made or will be made to this equipment or operation(s) since the last construction or operating permit application:		
15. Comments		

DRAFT

TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL

IN THE MATTER OF

REVISION OF THE
TENNESSEE AIR POLLUTION CONTROL
MAJOR SOURCE PERMIT APPLICATIONS

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ORDER NO. 24 - 008

BOARD ORDER

The following matter came before the Tennessee Air Pollution Control Board on April 10, 2024.

On March 13, 2024, the Tennessee Air Pollution Control Board approved changes to the major source permit applications as required by item 1200-03-09-.02(11)(d)1(ii)(I) of the Tennessee Air Pollution Control Regulations. The Division of Air Pollution Control has further revised the APC 1 form to include additional information for use when applying for a construction permit or part 70 modification, to add a space for the Tennessee Secretary of State control number, and additional changes that will assist the Division in preparing permits. These revisions require Board approval.

Approved as amended by the following members of the Air Pollution Control Board of the State of Tennessee, and entered on the 10th day of April, 2024.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Summary of Board Orders 24-004 through 24-007: Certificate of Exemption (COE) Renewal

The Tennessee Air Quality Act (contained in Tennessee Code Annotated (TCA) §§ 68-201-115(a)) allows local governments to adopt regulations that are not less stringent than those of the State. Specifically, Tennessee Code Annotated §§ 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, Tennessee Code Annotated §§ 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 Tennessee Code Annotated allow the Tennessee Air Pollution Control Board to grant a Certificate of Exemption (COE) to local jurisdictions for exemption from State supervision.

Therefore, these petitions with supporting information are being presented to allow entities an exemption from State supervision. These entities, referred to here as “Local Programs”, are permitted through the Certificate of Exemption to conduct the regulatory requirements typically conducted by the State Air Pollution Control Division. The exemption can be for a duration up to two years (TCA §§ 68-201-115(c)(1)). Also, Tennessee Code Annotated §§ 68-201-115(b)(6) limits the exemption to the language and areas of authority specifically stated in the exemption.

There are four “Local Programs” in Tennessee:

- o Davidson County
- o Hamilton County
- o Knox County
- o Shelby County

Each of the current Certificate of Exemption expires on June 30th, 2024. The new certificates, as proposed, are effective for the period July 1, 2024 through June 30, 2026. To renew the certificates, the Local Programs have petitioned the Technical Secretary, on behalf of the Air Board, for renewal of the existing certificates. Each of the Local Programs has completed a ‘Petition’ for renewal of the certificate for the Air

Board's consideration. Addition information for the Board's review is made available electronically in conjunction with the Board Packet for the April 10th, 2024 meeting of the Air Pollution Control Board. This supplemental information can be found [here](#).

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL**

IN THE MATTER OF:

**Metropolitan Government of
Nashville and Davidson County, Tennessee**

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Board Order No. 24-004

CERTIFICATE OF EXEMPTION

BOARD ORDER

I.

Under the authority of Tennessee Code Annotated, section 68-201-115(a), a petition to renew the Davidson County Certificate of Exemption was filed on August 16, 2023, with the Tennessee Division of Air Pollution Control by the Metro Public Health Department for the City of Nashville, the County of Davidson and all included municipalities.

The terms in Tennessee Code Annotated section 68-201-115(b)(3) state that:

"(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;"

II.

In accordance with Tennessee Code Annotated section 68-201-115(b)(3), the Metro Public Health Department does enforce regulations and/or ordinances for the control of air pollution that are not less stringent than the State's. Therefore, the Air Pollution Control Board

of the State of Tennessee does hereby grant a Certificate of Exemption to Davidson County and all included municipalities for a two (2) year period. The certificate goes into effect on **July 1, 2024**, and expires on **June 30, 2026** as authorized by Tennessee Code Annotated section 68-201-115(c). During this period, Davidson County and all included municipalities shall be exempt from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following as set forth in the ordinances, regulations or other rules where indicated below:

- 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 0400-30-38 and 1200-03-31 (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.

III.

Approved by the following members of the Air Pollution Control Board of the State of Tennessee and entered on this 10th day of April, 2024.

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_____	_____
_____	_____
_____	_____
_____	_____

Board Order 24_004 Davidson COE 2024 a.docx

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL

CERTIFICATE OF EXEMPTION

By authority of Tennessee Code Annotated section 68-201-115,
the Tennessee Air Pollution Control Board Declares that

**Metropolitan Nashville and Davidson County, Tennessee
and all Included Municipalities**

are
exempt from the provisions of the
Tennessee Air Quality Act as found in
Tennessee Code Annotated Title 68, Chapter 201,
subject to such limitations as established by the Board pursuant
to Board Order No. 24-004, passed
by the Board on this the 10th day of April 2024

Air Pollution Control Board Members of the State of Tennessee

_____	_____
_____	_____
_____	_____
_____	_____

Expiration Date: June 30, 2026

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL**

IN THE MATTER OF:

**Hamilton County, Tennessee
City of Chattanooga, Tennessee
City of Collegedale, Tennessee
City of East Ridge, Tennessee
City of Lakesite, Tennessee
Town of Lookout Mountain, Tennessee
City of Red Bank, Tennessee
City of Ridgeside, Tennessee
Town of Signal Mountain, Tennessee
City of Soddy-Daisy, Tennessee
Town of Walden, Tennessee**

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Board Order No. 24-005

CERTIFICATE OF EXEMPTION

BOARD ORDER

I.

Under the authority of Tennessee Code Annotated section 68-201-115(a), a petition to renew the Hamilton County Certificate of Exemption was filed on August 2, 2023, with the Tennessee Division of Air Pollution Control by the Chattanooga-Hamilton County Air Pollution Control Bureau for the City of Chattanooga, the County of Hamilton and all included municipalities.

The terms in Tennessee Code Annotated section 68-201-115(b)(3) state that:

- "(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;"

II.

In accordance with Tennessee Code Annotated section 68-201-115(b)(3), the Chattanooga-Hamilton County Air Pollution Control Bureau does enforce regulations and/or ordinances for the control of air pollution that are not less stringent than the State's. Therefore, the Air Pollution Control Board of the State of Tennessee does hereby grant a Certificate of Exemption to Hamilton County and all included municipalities for a two (2) year period. The certificate goes into effect on **July 1, 2024**, and expires on **June 30, 2026** as authorized by Tennessee Code Annotated section 68-201-115(c). During this period, Hamilton County and all included municipalities shall be exempt from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following as set forth in the ordinances, regulations or other rules where indicated below:

1. Ambient air quality standards;
2. Open burning restrictions;
3. Visible emissions limitations;
4. Non-process emission limitations (fuel burning and incinerator);
5. Process emission including process gaseous emissions limitations;
6. Fugitive dust restrictions (Transportation and Material Handling in Open Air);
7. Permitting requirements, including definitions; amendments to permits; applications; permitting fees; emissions fees; testing; practical enforceability; monitoring; record keeping and reporting;
8. Construction permits:

New Source Review - Growth Policy
PSD Authority

Installation Permits

9. Certificates of Operation:

Initial and Renewal
Federally Enforceable

10. Part 70 Operating Permits

11. Asbestos Demolition and Renovation Project Permits

12. All National Emission Standards for Hazardous Air Pollutants, as set forth in 40 CFR Parts 61 and 63 (with the exception of 40 CFR Part 61, Subpart M, for asbestos, which is addressed in the preceding item 11) 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;

13. Methods of sampling; testing and analysis;

14. Enforcement and Compliance provisions including:

Instituting, or causing to be instituted in a court of competent jurisdiction, legal proceedings to compel compliance with any order, final order, determination, rule, regulation or ordinance of the local Board, the director of the local Bureau, or of any included governmental entity, including instituting legal proceedings on behalf of any included municipality or county;

Determining that any order, final order, determination, rule, regulation or ordinance of the local Board, the director of the local Bureau, or of any included governmental entity 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, including instituting legal proceedings to abate a public nuisance on behalf of a municipality or a county;

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;

Pursuing enforcement of any ordinance or regulations, or orders made by the director or the Board pursuant to the ordinance or regulations, by injunction to enjoin any violation of any requirement of the ordinance or regulations, including conditions of a permit or

certificate of operation, or other appropriate remedy, and the Board shall have power to institute and maintain in the name of the Board any and all enforcement proceedings;

15. Control of emissions of particulates including PM_{2.5} and PM₁₀, carbon monoxide, sulfur dioxide, nitrogen oxides, volatile organic compounds, toxic air pollutants and gaseous emissions;
16. Control of emissions of the precursors to ozone including volatile organic compounds and nitrogen oxides;
17. Control of emissions of sulfur oxides, and emissions of sulfuric acid and sulfur trioxide (combined);
18. Control of emissions of lead;
19. Emergency episode regulations including emergency stop orders;
20. New Source Performance Standards (NSPS) set forth in 40 CFR Part 60 including, 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;
21. Administrative procedures including emissions credit banking and emissions trading policy statements;
22. Emissions limitations and monitoring requirements;
23. Regulation of malfunctions, start-ups, and shutdowns;
24. Alternate emissions limitations;
25. General policies or plans;
26. System of permits and/or certificates to include the Title V (Part 70) permit program;
27. Scheduling and collecting fees for review of plans and specifications, issuance or renewal of permits or certificates (including Part 70 emission fees), inspection of air pollutant sources, building demolition and renovation, and computer and research time;
28. Developing and recommending a comprehensive air pollution control program, reviewing such program, and recommending such changes as may be deemed appropriate;
29. Requiring the furnishing of information from persons causing, or who may be about to cause, air pollution;

30. Entering in or upon private or public property for the purpose of inspecting and investigating any air contaminant source;
31. Providing such technical, scientific and other services as may be necessary and charging fees for preparation, research, computer time and distribution;
32. Receiving, budgeting, receipting for and administering such moneys as are appropriated or granted for carrying out the program of the local Board;
33. 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;
34. Handling correspondence, keeping records, preparing reports and performing such duties as are necessary or authorized;
35. Granting or denying petitions for variances after first submitting variances to be issued to the Tennessee Division of Air Pollution Control for review;
36. Regulation of infectious and medical waste incinerators;
37. Regulation of general engineering practice stack height requirements;
38. Abatement of air contaminants, water, steam, or a combination which reduce visibility across any road to cause a hazard;
39. Transportation conformity requirements;
40. Confidentiality determinations; and
41. Regulation of odors related to emissions of air contaminants and regulation of nuisances related to emissions of air contaminants.

III.

Approved by the following members of the Air Pollution Control Board of the State of Tennessee and entered on this 10th day of April, 2024.

_____	_____
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_____	_____
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_____	_____
_____	_____
_____	_____

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL

CERTIFICATE OF EXEMPTION

By authority of Tennessee Code Annotated section 68-201-115,
the Tennessee Air Pollution Control Board Declares that

**Chattanooga and Hamilton County, Tennessee
and all Included Municipalities**

are
exempt from the provisions of the
Tennessee Air Quality Act as found in
Tennessee Code Annotated Title 68, Chapter 201,
subject to such limitations as established by the Board pursuant
to Board Order No. 24-005, passed
by the Board on this the 10th day of April 2024

Air Pollution Control Board Members of the State of Tennessee

_____	_____
_____	_____
_____	_____
_____	_____

Expiration Date: June 30, 2026

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL**

IN THE MATTER OF:

**Knox County, Tennessee
City of Knoxville, Tennessee
And all included municipalities**

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)

Board Order No. 24-006

CERTIFICATE OF EXEMPTION

BOARD ORDER

I.

Under the authority of Tennessee Code Annotated section 68-201-115(a), a petition to renew the Knox County Certificate of Exemption was filed on August 16, 2023, with the Tennessee Division of Air Pollution Control by the Knox County Department of Air Quality Management for the City of Knoxville, the County of Knox and all included municipalities.

The terms in Tennessee Code Annotated section 68-201-115(b)(3) state that:

- "(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;"

II.

In accordance with Tennessee Code Annotated section 68-201-115(b)(3), the Knox County Department of Air Quality Management does enforce regulations and/or ordinances for

the control of air pollution that are not less stringent than the State's. Therefore, the Air Pollution Control Board of the State of Tennessee does hereby grant a Certificate of Exemption to Knox County and all included municipalities for a two (2) year period. The certificate goes into effect on **July 1, 2024**, and expires on **June 30, 2026** as authorized by Tennessee Code Annotated section 68-201-115(c). During this period, Knox County and all included municipalities shall be exempt from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following as set forth in the ordinances, regulations or other rules where indicated below:

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. National Emission Standards for Hazardous Air Pollutants, and Maximum

Achievable Control Technology Standards, as set forth in TN Chapters 0400-30-38 and 1200-03-31 (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;

9. Methods of sampling; testing and analysis;
10. Enforcement and Compliance provisions;
 - Instituting, or causing to be instituted in a court of competent jurisdiction, legal proceedings to compel compliance with any order, final order, determination, rule, regulation or ordinance of the local Board, the director of the Knox County Department of Air Quality Management, 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 Knox County Department of Air Quality Management, 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;
11. Control of emissions of particulate matter including PM10, and PM2.5 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 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;
 - 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;
 - Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed on or after 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;
 - Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;

- 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;
- Iron and steel plant furnaces constructed after April 21, 1971;
- 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 17, 1983;
- Industrial Surface Coating: plastic parts for business machines;
- Industrial-commercial institutional steam generating units;
- Onshore natural gas processing: SO₂ emissions;
- Non-metallic mineral processing plants;
- Wool fiberglass insulation manufacturing plants;
- Rubber Tire Manufacturing Industry;

- Calciners and Dryers in Mineral Industries;
 - Municipal Solid Waste Landfills (40 CFR 60, Subpart WWW);
 - Hospital Medical Infectious Waste Incinerators;
 - VOC emissions from the polymer manufacturing industry;
 - VOC emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;
 - VOC emissions from the synthetic organic chemical manufacturing industry (SOCMI) distillation operations;
 - VOC emissions from petroleum refinery wastewater systems;
 - VOC emissions from the synthetic organic chemical manufacturing industry (SOCMI) reactor processes;
 - Magnetic tape coating facilities;
 - Polymeric coating of supporting substrates facilities;
 - Other Solid Waste Incineration Units;
 - 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;
 - Stationary Compression Ignition Internal Combustion Engines;
 - Stationary Spark Ignition Internal Combustion Engines;
 - Stationary Combustion Turbines.
18. Administrative procedures including emissions credit banking and emissions trading policy statements;
 19. Monitoring, Recording, and Reporting of Source Emissions;
 20. Regulation of malfunctions, start-ups, and shutdowns;
 21. Alternate emissions limitations;
 22. General policies or plans; Ozone Attainment and Maintenance Plans (SIP); Program Operating Procedures; Carbon Monoxide Maintenance Plan (SIP);

Particulate Matter Control Plan (PM_{2.5});

23. System of permits and/or certificates and emission fees to include the Title V Permit Program;
24. 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;
25. Developing and recommending a comprehensive air pollution control program, reviewing such program, and recommending changes as may be deemed appropriate;
26. Requiring the furnishing of information from persons causing, or who may be about to cause air pollution;
27. Entering in or upon private or public property for the purpose of inspecting and investigating any air contaminant source;
28. Receiving, budgeting, receipting for and administering such monies as are appropriated or granted for carrying out the program of the local Board;
29. 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;
30. Handling correspondence, keeping records, preparing reports and performing such duties as are necessary or authorized;
31. Granting or denying petitions for variances after first submitting variances to be issued to the Tennessee Division of Air Pollution Control for review;
32. Regulation of Infectious Waste Incinerators;
33. Regulation of good engineering practice stack height requirements;
34. Abatement of air contaminants, uncombined water, or a combination which reduces visibility across any road to cause a hazard;
35. Transportation Conformity Rule requirements;
36. Confidentiality determinations.

III.

Approved by the following members of the Air Pollution Control Board of the State of Tennessee and entered on this 10th day of April, 2024.

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_____	_____
_____	_____
_____	_____

Board Order 24_006 Knox COE 2024 a.docx

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL

CERTIFICATE OF EXEMPTION

By authority of Tennessee Code Annotated section 68-201-115,
the Tennessee Air Pollution Control Board Declares that

**Knoxville and Knox County Tennessee
and all Included Municipalities**

are
exempt from the provisions of the
Tennessee Air Quality Act as found in
Tennessee Code Annotated Title 68, Chapter 201
subject to such limitations as established by the Board pursuant
to Board Order No. 24-006, passed
by the Board on this the 10th day of April 2024

Air Pollution Control Board Members of the State of Tennessee

_____	_____
_____	_____
_____	_____
_____	_____

Expiration Date: June 30, 2026

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL**

IN THE MATTER OF:

**Shelby County, Tennessee
City of Memphis, Tennessee
Town of Arlington, Tennessee
City of Bartlett, Tennessee
Town of Collierville, Tennessee
City of Lakeland, Tennessee
City of Germantown, Tennessee
City of Millington, Tennessee**

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Board Order No. 24-007

CERTIFICATE OF EXEMPTION

BOARD ORDER

I.

Under the authority of Tennessee Code Annotated section 68-201-115(a), a petition to renew the Shelby County Certificate of Exemption was filed on August 17, 2023, with the Tennessee Division of Air Pollution Control by the Shelby County Health Department Air Pollution Control Program for the City of Memphis, the County of Shelby and all included municipalities.

The terms in Tennessee Code Annotated section 68-201-115(b)(3) state that:

- "(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;"

II.

In accordance with Tennessee Code Annotated section 68-201-115(b)(3), the Shelby County Air Pollution Control Program does enforce regulations and/or ordinances for the control of air pollution that are not less stringent than the State's. Therefore, the Air Pollution Control Board of the State of Tennessee does hereby grant a Certificate of Exemption to Shelby County and all included municipalities for a two (2) year period. The certificate goes into effect on **July 1, 2024**, and expires on **June 30, 2026** as authorized by Tennessee Code Annotated section 68-201-115(c). During this period, Shelby County and all included municipalities shall be exempt from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following as set forth in the ordinances, regulations or other rules where indicated below:

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 PM10, and PM2.5 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;
 - Fuel-fired 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 (PM_{2.5})];
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.

III.

Approved by the following members of the Air Pollution Control Board of the State of Tennessee and entered on this 10th day of April, 2024.

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_____	_____
_____	_____
_____	_____

Board Order 24_007 Shelby COE 2024 a.docx

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL

CERTIFICATE OF EXEMPTION

By authority of Tennessee Code Annotated section 68-201-115,
the Tennessee Air Pollution Control Board Declares that

**Memphis and Shelby County, Tennessee
and all Included Municipalities**

are
exempt from the provisions of the
Tennessee Air Quality Act as found in
Tennessee Code Annotated Title 68, Chapter 201,
subject to such limitations as established by the Board pursuant
to Board Order No. 24-007, passed
by the Board on this the 10th day of April 2024

Air Pollution Control Board Members of the State of Tennessee

_____	_____
_____	_____
_____	_____
_____	_____

Expiration Date: June 30, 2026



RENEWAL OF THE CERTIFICATES OF EXEMPTION FOR TENNESSEE'S FOUR LOCAL AIR POLLUTION CONTROL PROGRAMS

COE Renewal: Board Packet Contents

- Tennessee has four local Air Pollution Control Programs (Local Programs)
- Board Orders 24-004 through 24-007
- For each the Board packet contains:
 - A Board Order
 - Certificate of Exemption (COE)

COE Renewal: Background

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...”

COE Renewal: Background

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;"

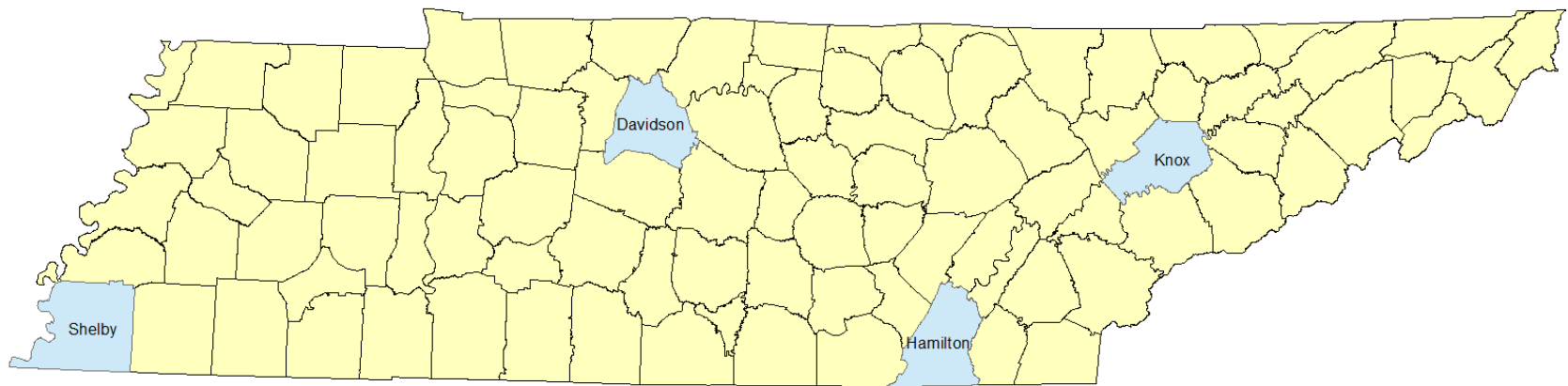
COE Renewal: Background

- Certificates can be for up to two years
- Current Certificates expire June 30, 2024
- Proposed Certificates for July 1, 2024 through June 30, 2026
- Technical Secretary is recommending renewal of the COEs as proposed

COE Renewal: Local Program Presentation

- Local Program Directors (or designee) were asked to make a brief presentation to the Board addressing:
 - Brief overview of the program for the last two years
 - Highlight any positive accomplishments and activities that have occurred in the last two years, or will soon occur
 - Address any anticipated issues in continuing to administer a local program

Questions...



Nashville/Davidson County

John Finke, Director

Division of Pollution Control for Metro Nashville and
Davidson County



Chattanooga/Hamilton County

Ron Drumeller, Director

Chattanooga/Hamilton County Air Pollution Control
Bureau



Knoxville/Knox County

Justin Mayer, Director

Division of Air Quality Management for Knox County

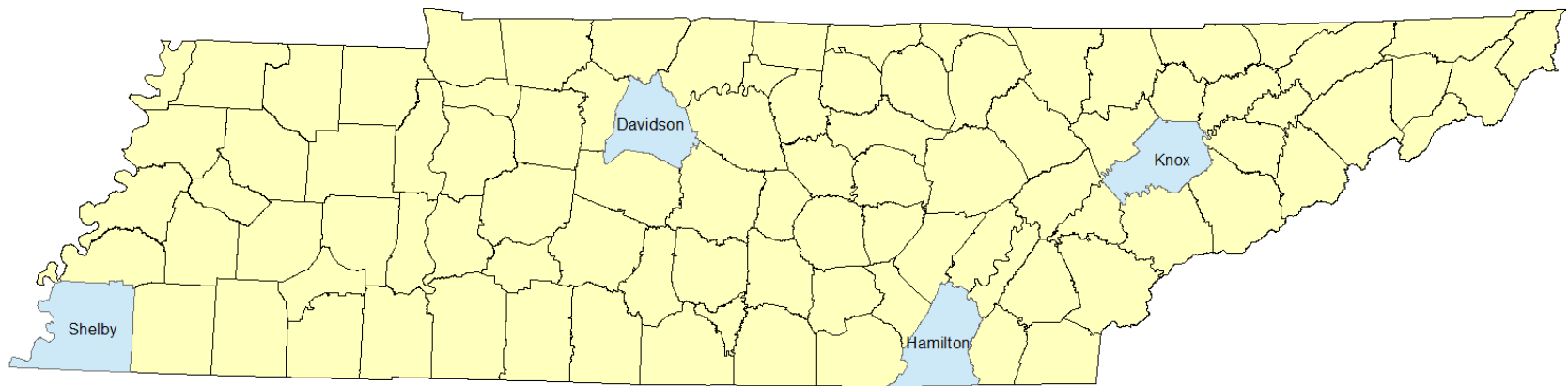


Memphis/Shelby County

Kasia Smith-Alexander, Director
Environmental Health Bureau
Shelby County Health Department



Questions?





Department of
**Environment &
Conservation**

Tennessee Volunteer Emission Reduction Strategy

Priority Action Plan



Plan Overview

Required Elements- Priority Action Plan

Greenhouse Gas (GHG) Inventory

- Utilized Default Data from EPA's State Inventory Tool (SIT) Modules
- Focused on Consumption; Further Analysis of End Use Completed to Inform Measure Selection

Quantified GHG Reduction Measures (Priority Measures Only)

- Considered Measures that are **Near-Term** and **Implementable, High Impact**, and **Prioritized by the Public**

Benefits Analysis (Encouraged)

- For Each Measure, Analyze Co-Pollutant Reductions and/or Other Benefits Realized
- Can Include Disbenefits, if Identified

Low Income / Disadvantaged Communities Benefits Analysis

- For Each Measure, Analyze Co-Pollutant Reductions and/or Other Benefits Realized
- Can Include Disbenefits, If Identified

Review of Authority to Implement

- Identify Authority to Implement Selected Priority Measures

Intersection with Other Funding Availability

- Identify Other Funding Opportunities (Bipartisan Infrastructure Law and Inflation Reduction Act) for Implementing Measures

Timeline & Development Process

Development

GHG Inventory

- November 2023

Measures & Benefits Analysis

- January 2024

Review of Authority to Implement

- January 2024

Intersection with Other Funding Availability

- January 2024

Stakeholder Engagement

Public Engagement

- Fall 2023

ERPAC

- August 2023
- December 2023
- February 2024

Sector-Based Conversations

- January 2024

Review & Approval

Multiple Rounds of Internal Review & Editing

- January / February 2024

ERPAC Review & Feedback

- February 2024

TDEC & State of TN Leadership Review and Approval

- February 2024

EPA Submission

TDEC Submission to EPA

- February 29, 2024

EPA Approval

- March 7, 2024

Uploaded to TVERS webpage

- March 2024

Uploaded to EPA webpage

- March 2024

Emission Reduction Measures Overview

- All measures are voluntary
- All measures have state-wide applicability
- Estimated emissions reductions are not guarantees; they reflect **maximum potential**
- We have evaluated reductions for two timeframes as required:
 - 2025 to 2030
 - 2025 to 2050
- There are **11** measures across **6** categories:



Building Energy Efficiency Enhancements

<i>Measure:</i>	<i>Modeling Tool:</i>	<i>Emissions Reduction:</i>
Reduce GHG emissions associated with residential, commercial, and industrial buildings.	U.S. EPA GLIMPSE Global Change Analysis Model – Long-term Interactive Multi-Pollutant Scenario Evaluator	2025 to 2030: -14.7 MMT CO ₂ e 2025 to 2050: -160.6 MMT CO ₂ e

Electricity Distribution Upgrades

<i>Measure:</i>	<i>Modeling Tool:</i>	<i>Emissions Reduction:</i>
Reduce GHG by improving electricity transmission efficiency	U.S. EPA eGrid Emissions & Generation Resource Integrated Database	2025 to 2030: -0.4 MMT CO ₂ e 2025 to 2050: -1.8 MMT CO ₂ e

Land Use Enhancement

<i>Measure:</i>	<i>Modeling Tool:</i>	<i>Emissions Reductions:</i>
Reduce GHG emissions by preventing forest conversions and other land uses and preventing forest losses due to fire and other causes.	EPA SIT State Inventory Tool	2025 to 2030: -12.7 MMT CO ₂ e 2025 to 2050: -130.3 MMT CO ₂ e

Transportation Sector Electrification

<i>Measure:</i>	<i>Modeling Tools:</i>	<i>Emissions Reduction:</i>
Reduce vehicle exhaust by promoting the use of electric vehicles (EVs).	1. AVERT AV oided E missions g eneration T ool 2. AFLEET (A lternative F uel Life-cycle E nvironmental and E conomic T ransportation) 3. GLIMPSE	2025 to 2030: -0.5 MMT CO ₂ e 2025 to 2050: -13.2 MMT CO ₂ e

Renewable Energy Enhancement

Measure:

Reduces GHG by increasing the use of solar energy across the state

Modeling Tool:

Manual calculations

Emissions Reductions:

2025 to 2030:

-8.1 MMT CO₂e

2025 to 2050:

-215.7 MMT CO₂e

Waste Management Enhancement

Measure:

Reduce GHG by reducing the volume of food waste sent to landfills.

Modeling Tool:

EPA's WARM
**Waste
Reduction
Model**

Emissions Reductions:

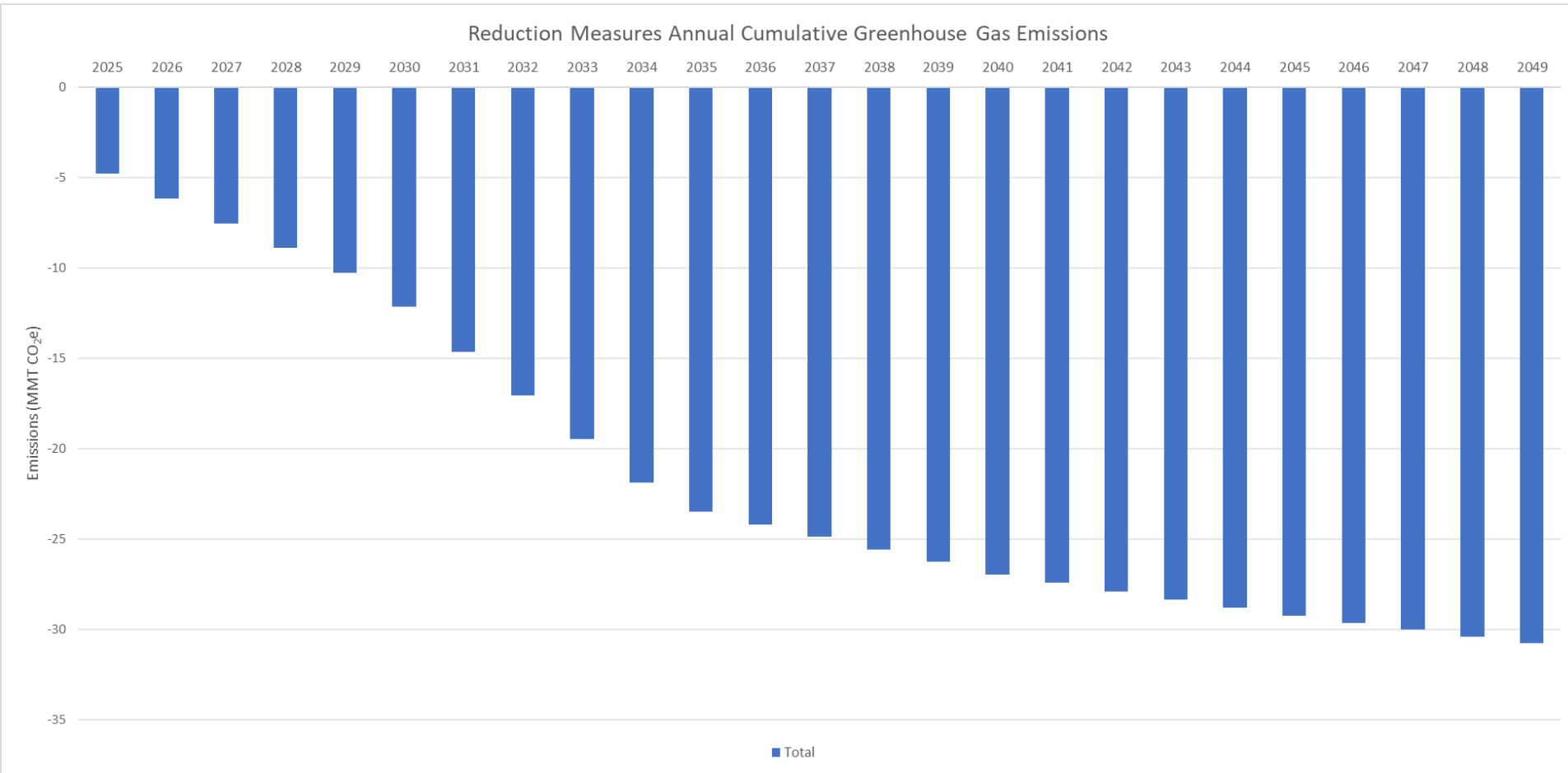
2025 to 2030:

-1.2 MMT CO₂e

2025 to 2050:

-15.2 MMT CO₂e

Combined Summary GHG Reductions

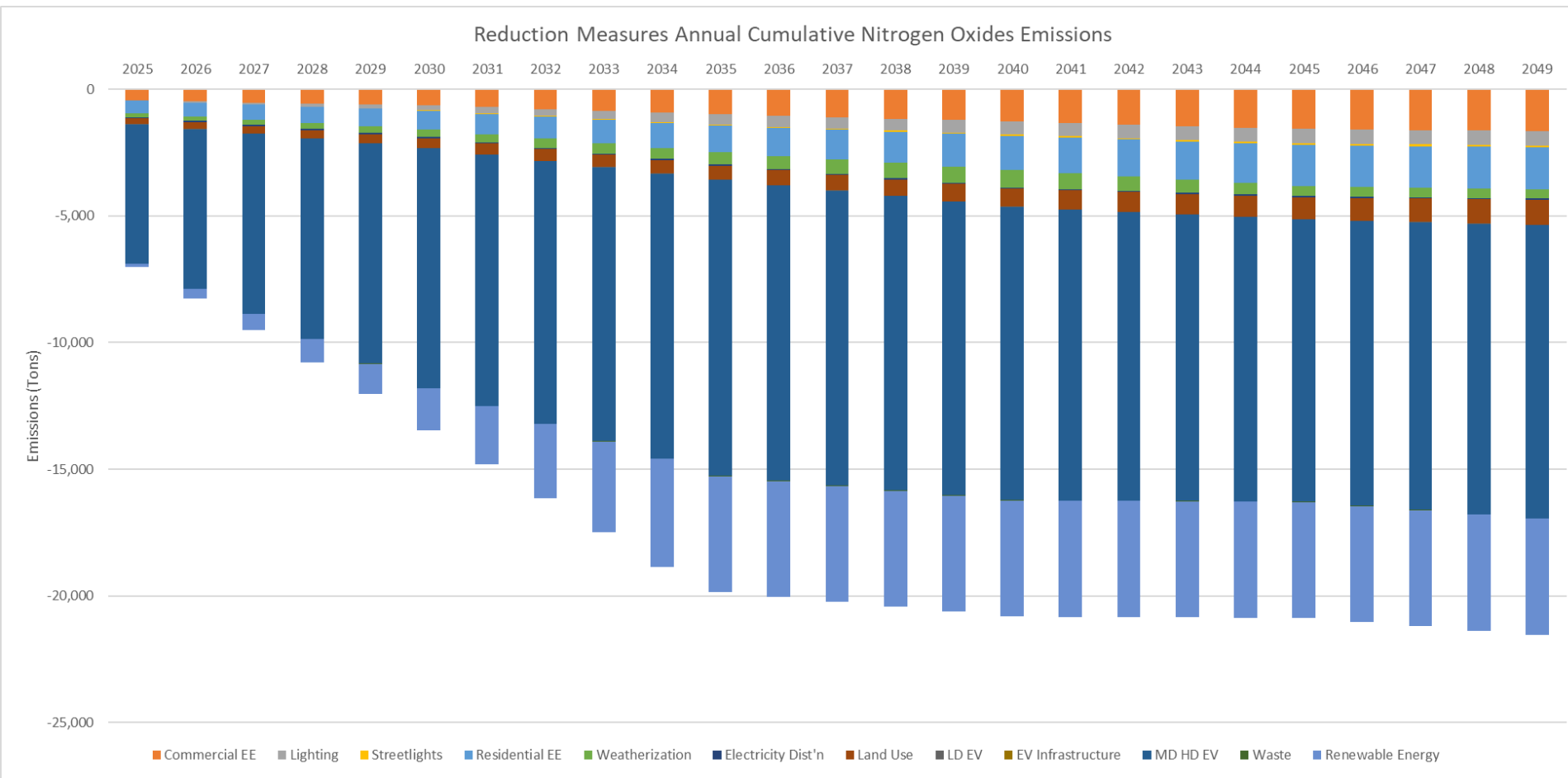


The estimated 2019 statewide gross GHG emissions were
112 MMT CO₂e.

Benefits Analysis

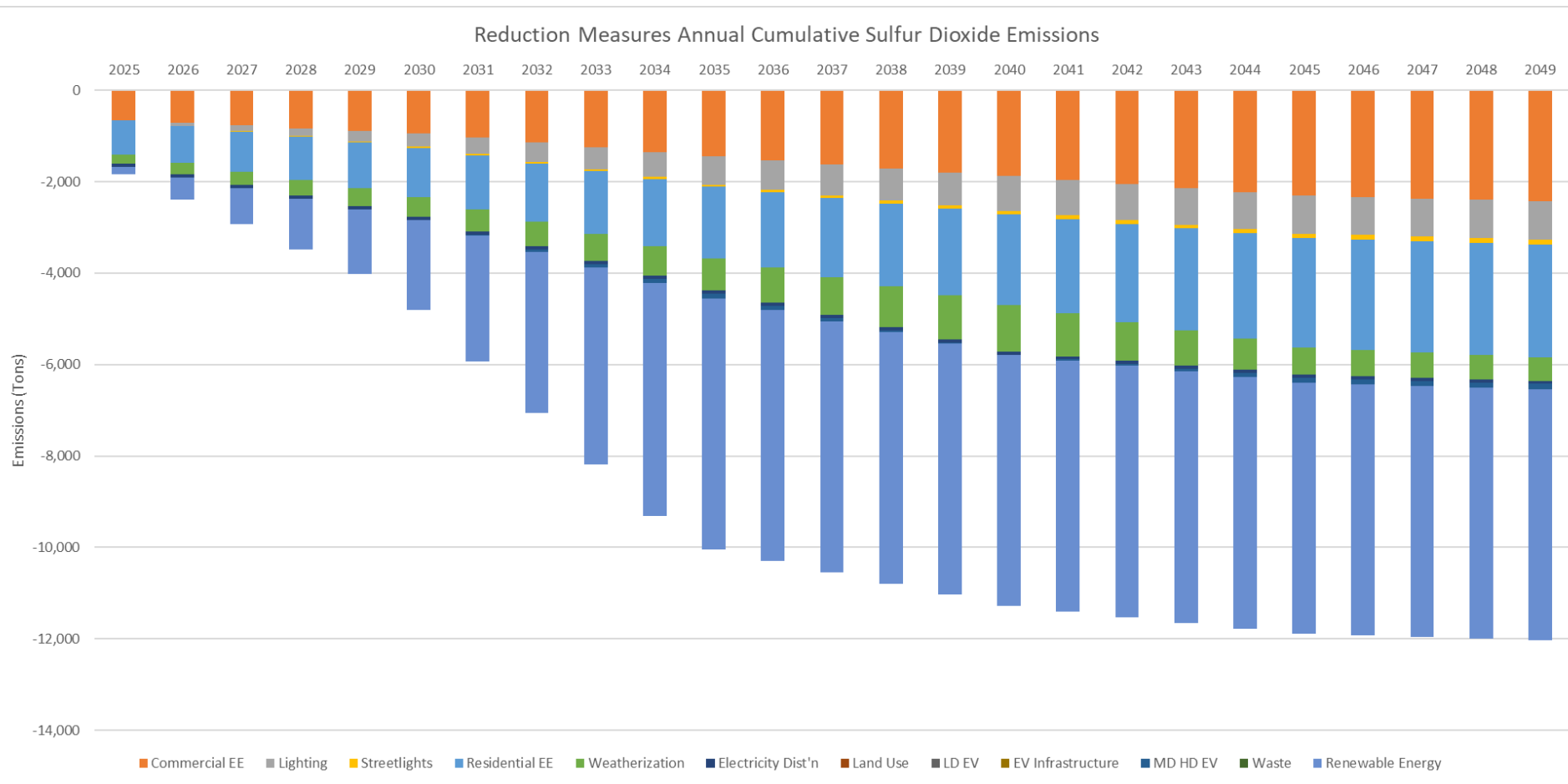
- Co-pollutants evaluated (not all are relevant to each measure):
 - Nitrogen Oxides: NO_x
 - Particulate Matter: PM
 - Sulfur Dioxide: SO_2
 - Volatile Organic Compounds: VOCs
 - Carbon Monoxide: CO
 - Ammonia: NH_3
- 2017 NEI Inventory as baseline
- Estimation approaches mirror GHG methods

Combined Benefits Summary (NO_x)



State-wide NO_x emissions in 2017 were estimated at
219,961 tons per year.

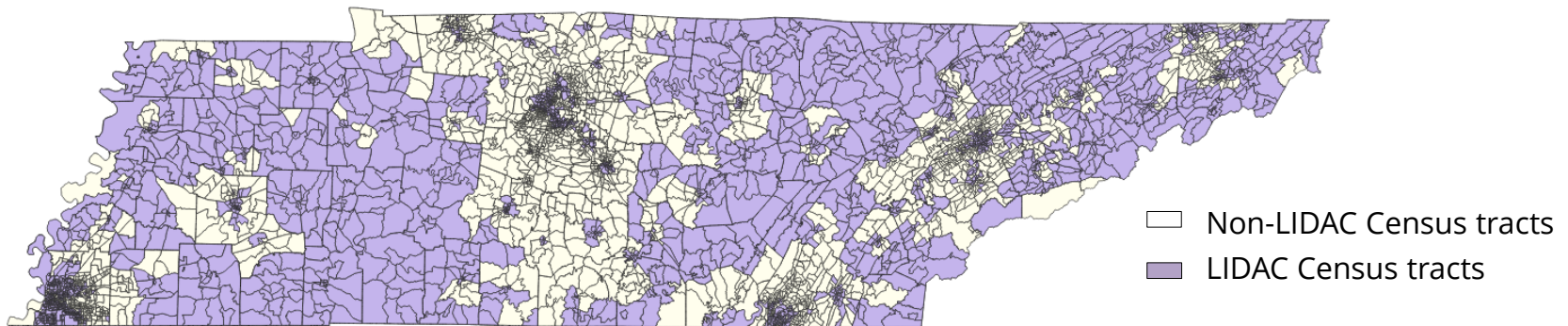
Combined Benefits Summary (SO₂)



State-wide SO₂ emissions in 2017 were estimated at
46,634 tons per year.

LIDAC Benefits Analysis

- PCAP Requirements:
 - i. The identification of LIDACs in Tennessee, including Census Tract ID
 - ii. A description of LIDAC engagement and how community priorities were incorporated into measure selection, and
 - iii. Preliminary analysis of expected benefits to LIDACs of implementing priority measures for LIDACs.
- Identification of LIDACs
 - LIDACs represent 54% of Tennessee census tracts

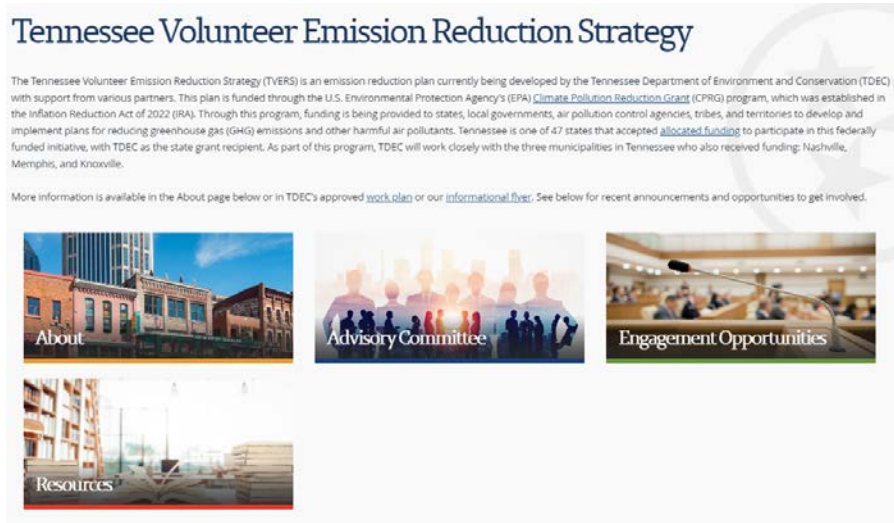


LIDAC Benefits Analysis

Priority measure	Potential benefit						
	Improved air quality and public health	Transportation improvement	Housing affordability	Community beautification	Community resilience	Reduced noise pollution	Workforce development
Building Energy Efficiency Enhancement							
Incentive programs for implementation of end-use energy efficiency measures in existing commercial buildings.	○	—	—	—	—	—	—
Incentive programs for the purchase of certified energy-efficient lighting in commercial and industrial buildings, as well as streetlights.	○	—	—	●	—	—	—
Incentive programs for the purchase of certified energy-efficient building products to replace inefficient products in residential buildings.	○	—	●	—	—	—	—
Weatherization programs for residential buildings.	○	—	●	—	—	—	●
Electricity Distribution Upgrades							
Upgrading electricity distribution.	○	—	●	—	●	—	●
Land Use Enhancement							
Reduce deforestation by implementing sustainable land-use practices, protecting forests.	●	—	—	●	●	○	—
Transportation Sector Electrification							
Programs to increase the share of state and local government fleets of light-duty electric vehicles.	●	●	—	—	○	●	—
Programs to expand community electric vehicle charging infrastructure.	○	●	—	—	○	○	●
Programs to increase the share of electric medium- and heavy-duty vehicles, including buses.	●	●	—	—	○	●	—
Waste Management Enhancement							
Programs and incentives to reduce or divert waste (including food and/or yard waste).	●	—	—	—	—	—	●
Renewable Energy Enhancement							
Development of renewable energy generation.	●	—	●	—	●	—	●

Public & Stakeholder Engagement

- Online Resources:

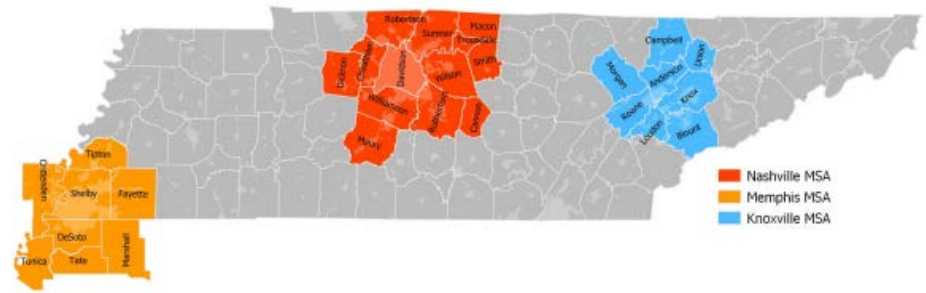


tdec.tvers@tn.gov



Signup for our listserv

- ERPAC
- MSA Coordination
- Public and Program Survey
- Sector Conversations





CPRG Implementation Grant

CPRG Implementation: Grant Overview

Phase 2

EPA is awarding approximately \$4.3 billion in competitive grants to eligible applicants to implement GHG reduction programs, policies, projects, and measures identified in a PCAP

KEY DATES

September 20, 2023	NOFO: REQUEST FOR APPLICATIONS ISSUANCE
February 1, 2024	OPTIONAL NOTICE OF INTENT TO APPLY IS DUE
March 15, 2024	DEADLINE FOR SUBMITTING QUESTIONS
April 1, 2024	NOFO CLOSES – APPLICATIONS DUE BY 11:59 PM (ET)
July 2024	ANTICIPATED NOTIFICATION OF FUNDING SELECTION
October 2024	ANTICIPATED AWARD

State Only Application

Tennessee Volunteer Emission Reduction Strategy (TVERS): Strategic Emissions Reduction Programming

Transportation

Waste and
Materials
Management

Renewable
Energy
Enhancement

\$95,321,815

Coalition Application

Tennessee Valley Energy Efficiency Incentives Coalition

Alabama
Georgia
Mississippi
Bowling
Green, KY
MSA

Industrial
Commercial
and
Residential
Buildings

Electricity
Generation

\$393,945,926



Timeline and Next Steps

Comprehensive Action Plan (CCAP) Requirements

GHG Inventory

GHG Emissions
Projections

GHG Reduction
Targets

Quantified GHG
Reduction
Measures

Benefits Analysis
for Full State

LIDAC Benefits
Analysis

Review of
Authority to
Implement

Intersection with
Other Funding
Availability

Workforce
Planning Analysis

Stakeholder
Engagement



In PCAP, to
be updated
for CCAP



New Item
for CCAP

Questions?



tn.gov/environment/policy/tvers.html



tdec.tvers@tn.gov



Signup for our listserv



Department of
**Environment &
Conservation**

TN Small Business Environmental Assistance Program

How We Support Tennesseans and APC

Agenda

- Who/What is SBEAP?
- How does SBEAP provide support to Tennesseans and APC staff?
- Partnerships and Education





Who and what is
SBEAP?

Program Staff

Combined staff experience = 39 years

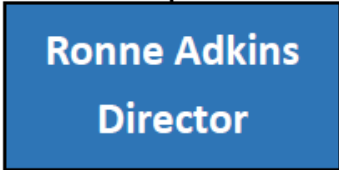


Donovan Grimwood

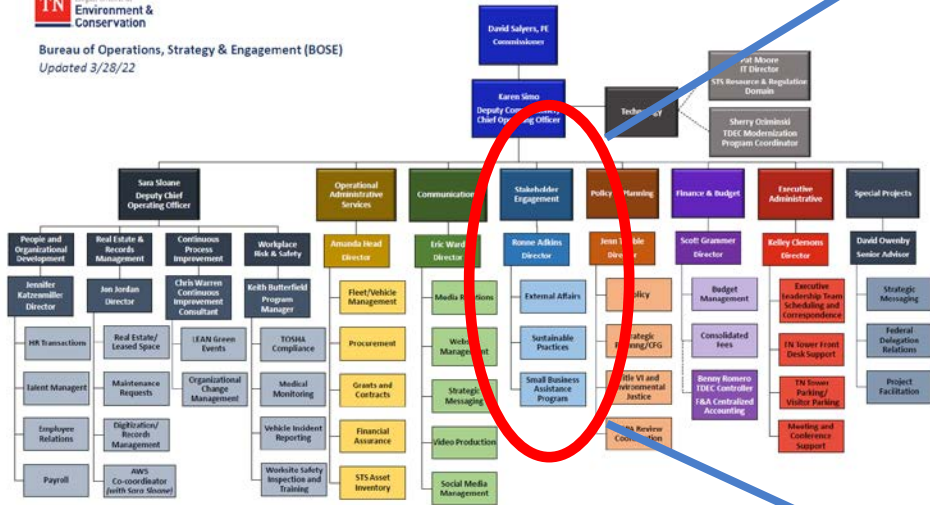


Crystal Warren

Who is SBEAP?



Bureau of Operations, Strategy & Engagement (BOSE)
Updated 3/28/22



Why do we exist?

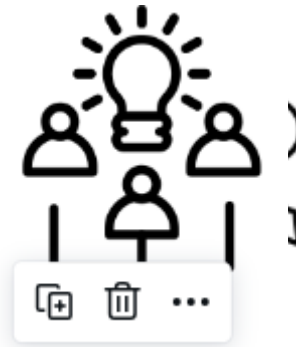
- Clean Air Act Amendment of 1990
 - Section 507
 - Small business stationary source technical and environmental compliance assistance program
 - Small Business Environmental Ombudsman
 - Compliance Advisory Panel (CAP)
- APC 1200-03-26-.02(1)(c)8.
 - Direct and indirect support for SBEAP.

Small Business Environmental Assistance Program

Technical
Assistance



Permit
Assistance



Compliance



Outreach/
Training



Explain
complex regs



And more!



Small Business Environmental Assistance Program

- ✓ Less than 100 employees
- ✓ Not a major source of air emissions
- ✓ Not a large quantity generator of hazardous waste



Other great qualities not listed in the name...

Assistance is:





**How does SBEAP
support Tennesseans
and APC staff?**

Who Asks SBEAP for Help?

**276 clients
assisted in
2023!**



Top Industries:

Manufacturing

Sawmill

Agribusiness

Mining

Autobody Shop

Asphalt/Concrete

How Does SBEAP Help Small Businesses?



Saves time



Saves money



Reduces
stress



Protects the
environment



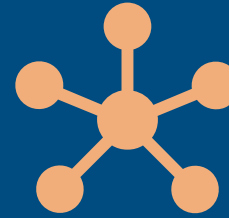
How Does SBEAP Help APC Staff?



Saves time



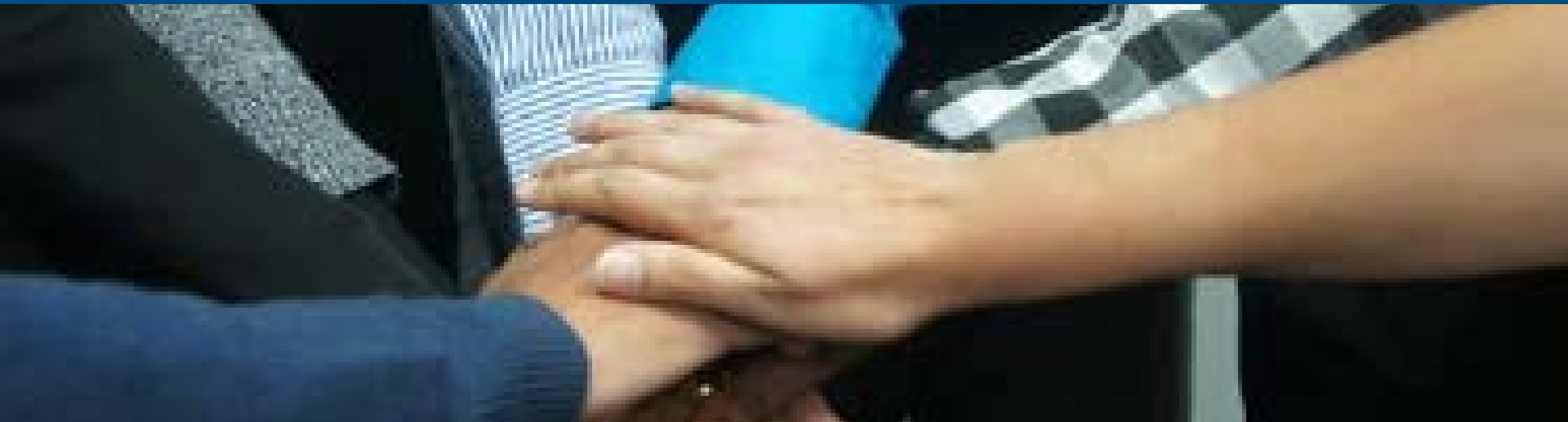
Reduces
staff strain



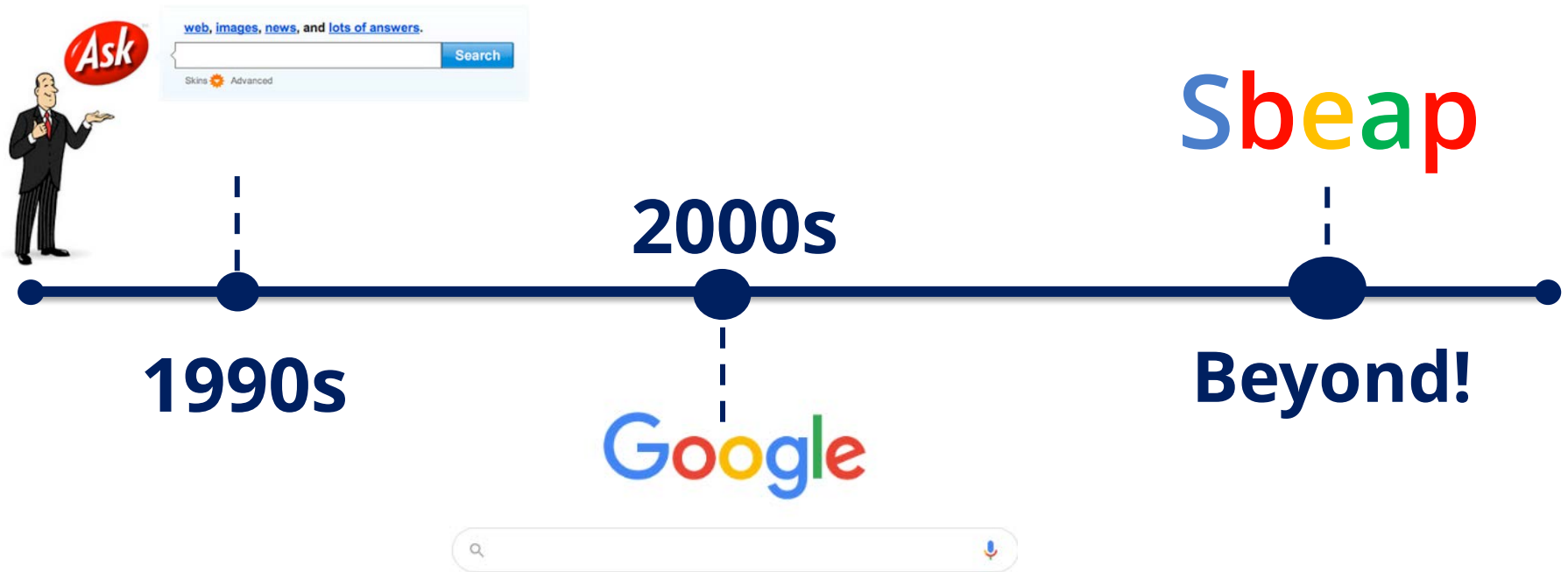
Input on
new regs



Fulfills
mission



To summarize...



Small businesses can rely on SBEAP as a free resource that responds quickly.



Partnerships and
Education

Partnerships

- National SBEAP association
- Tennessee Concrete Association
- Department of Agriculture
- Thriving Communities: Technical Assistance Program
- Want to continue building more



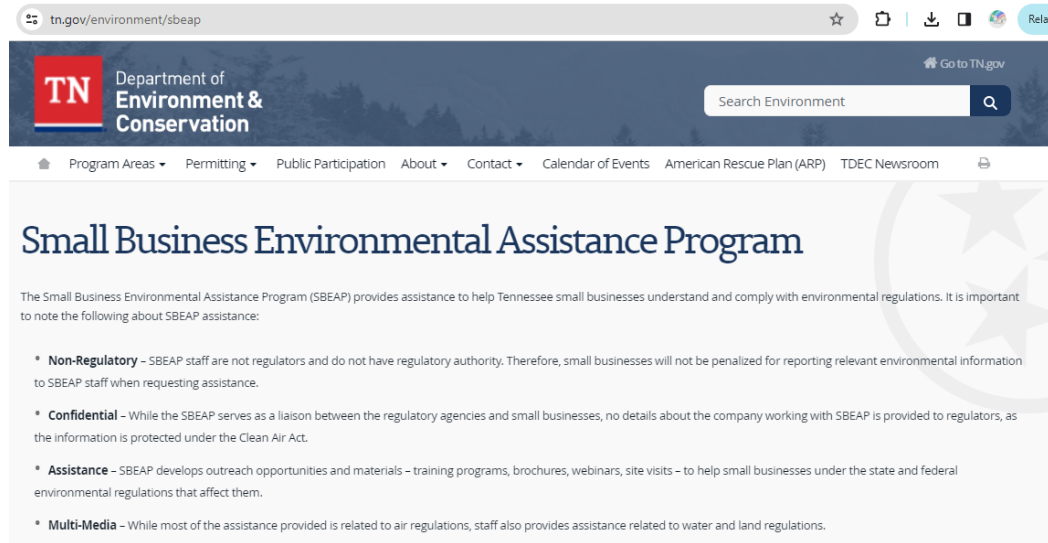
National Leadership and Involvement

- National Chair
- Promotional co-Chair
- Leads Metric workgroup
- Leads National Advocacy workgroup
- Hosted National Annual Training in Chattanooga

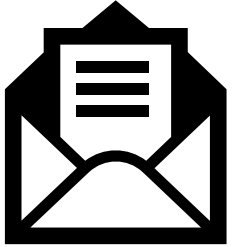


How do Tennesseans find SBEAP?

- Hotline
 - 800-734-3619
- Email
 - bgSBEAP@tn.gov
- Website
 - www.tn.gov/environment/sbeap



Education and Outreach



E-newsletters



TN Small Biz Buzz



@TNSmallBizBuzz



In summary:

SBEAP is a resource, not a regulator

