



Department of  
**Environment &  
Conservation**

# Tennessee Division of Air Pollution Control Update

AWMA Southern Section  
September 29, 2023

# Topics Covered

- Permit Program Improvements
  - New Permit Shells
  - Standard Conditions
  - Permit Timelines (non-PSD and PSD permits)
  - Permit Completeness Checklist
  - Combined Construction and Operating Permits
  - Removal of Title V Construction Permit Fee Exemption
  - Incorporation by Reference

# Topics Covered

- On-going work:
  - Non-Title V Operational Flexibility
  - Title V Fee Diversification
  - Recent Ozone Data
- Other Permit-Related Information
  - Reporting with CEDRI
  - Permitting Workload
- Possible Future Permit Process Changes due to EPA Policy & Rule Changes
  - Environmental Justice (including cumulative impacts)
  - Minor Source Public Notice (possible federal rulemaking)
  - NAAQS Reconsideration



# Permit Program Improvements

# Air Quality Permit Shells

- Currently Developed for
  - Construction Permits for TM & TV facilities
  - Combined Construction and Operating Permit for TM facilities
  - Construction Permit for CM facilities
  - Combined Construction and Operating Permit for CM facilities
  - Operating Permit for TM facilities
  - Conditional Major Operating Permit
- Last updated March, 2023

# Example – TM Combo Shell



STATE OF TENNESSEE  
AIR POLLUTION CONTROL BOARD  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
NASHVILLE, TENNESSEE

PERMIT TO CONSTRUCT / MODIFY AND OPERATE AIR CONTAMINANT SOURCE(S)

Permit Number: 0\*\*\*\*\* (Amendment #)  
Facility (Permittee): Facility Name  
Facility ID: \*\*.\*\*\*\*  
Facility Address: Street Address, City  
County  
Facility Classification: True Minor  
Federal Requirements: NSPS, NESHAP, MACT, SIP, or None  
Facility Description: description

Permit 0\*\*\*\*\* (Amendment #), consisting of \*\* pages is hereby issued \*\*\*\*\* \*\*, 20\*\*, pursuant to the Tennessee Air Quality Act and by the Technical Secretary, Tennessee Air Pollution Control Board, Department of Environment and Conservation. This permit supersedes all previously issued permits for this/these source(s). This permit expires on \*\*\*\*\* \*\*, 20\*\*. The holder of this permit shall comply with the conditions contained in this permit as well as all applicable provisions of the Tennessee Air Pollution Control Regulations (TAPCR).

Michelle W. Owenby  
Technical Secretary  
Tennessee Air Pollution Control Board

No Authority is Granted by this Permit to Operate, Construct, or Maintain any Installation in Violation of any Law, Statute, Code, Ordinance, Rule, or Regulation of the State of Tennessee or any of its Political Subdivisions.

# Permit Shells

Permit Number: <Permit Number>  
Issuance Date: <Issuance Date>  
Expiration Date: <Expiration Date>

## Section I – Sources Included in this Operating Permit

FACILITY DESCRIPTION			
Source Number	Source Description	Status	Control Device/Equipment
##			

## Section II – Permit Record

Permit Type	Description of Permit Action	Issue Date

## Section III - General Permit Conditions

### G1. Responsible Person

The application that was utilized in the preparation of this operating permit is dated \*\*\*\*\* and is signed by **Name, Title**, the Responsible Person for the permittee. The Responsible Person may be the owner, president, vice-president, general partner, plant manager, environmental/health/safety coordinator, or other person

# Permit Shells – Facility-Wide Conditions

- G conditions – based on state rules
  - Responsible Person
  - Application and Agreement Letters
  - Submittals
  - Notification of changes
  - Permit Transference
  - Operating Permit Application Submittal
  - Temporary Operating Permit (not for combos)
  - Startup Certification (construction and combos)
  - Fees
  - General Recordkeeping Requirements
  - Routine Maintenance
  - Visible and Fugitive Emissions
  - Facility-Wide Limits
  - NSPS/NESHAP/MACT/GACT Standards
    - details in F and S conditions
  - VOC and NO<sub>x</sub> Emission Statement
  - Source Testing Requirements
- C Conditions – Conditional Major Limits & Requirements
- F Conditions – based on federal rules



# Permit Shells

## source-specific conditions, standard layout

**Section V - Source Specific Permit Conditions** (Option 1) – Source specific conditions can be incorporated into the permit in one of two formats – the standard format or a tabular format. Option 1 presents the standard format, and Option 2 is the tabular format. Once you select an option, the other option should be deleted.

If a particular condition does not apply, delete and write "Not Applicable" after the condition number – example: if a source has a production limit but not an input limit, replace "A." with "Not Applicable" and delete the remainder of the condition.

Source No	Source Description
**	Source Description

S\*\*-.1. Input Limitation(s) or Statement(s) of Design

S\*\*-.2. Production Limitation(s)

S\*\*-.3. Operating Hour Limitation(s)

S\*\*-.4. Emission Limitation(s)

S\*\*-.5. Source-Specific Visible Emissions Limitation(s)

May also be "F" conditions for source-specific federal regulation requirements

# Permit Shells

## source-specific conditions, table layout

Source No	Source Description			
**	Source Description			
Condition No.	Pollutant/Parameter	Capacity/ Limit/ Standard	Compliance Method	TAPCR
S*-1.	Input Limitation(s) or Statement(s) of Design			
A.	<i>(add as many rows as needed)</i>			
S*-2.	Production Limitation(s)			
A.				
S*-3.	Operating Hour Limitation(s)			
A.				
S*-4.	Emission Limitation(s)			
A.	Particulate matter (PM)			
B.	Volatile Organic Compounds (VOC)			
S*-5.	Source-Specific Visible Emission Limitation(s)			
A.				
Condition No.	Applicability			40 CFR Part 60, 61, 63
F1-1.				
Condition No.	Compliance Dates			40 CFR Part 60, 61, 63
F1-2.				
Condition No.	etc.			40 CFR Part 60, 61, 63

# Appendices

- Notification of Change in Responsible Person
- Notification of Changes
- Notification of Ownership Change
- Startup Certification
- Fees
- Emission Statement for VOC and NOx
- Agreement Letters
- Example Logs
- General Provision Applicability for Federal Rules

# Standard Conditions

## Based on Control Device Type

Low NOx Burners	Flares	Cartridge & HEPA Filters
Wet Suppression	Condensers	SCR
SNCR	Water Wash or Water Curtain	Permanent Total Enclosure
Flue Gas Desulfurization	Scrubbers	Carbon Adsorbers
Carbon Absorbers	ESPs	Cyclones
Baghouses	RTOs	Afterburners

## Based on TAPCR Regulatory Chapters

1200-03-06: Non-Process Emission Standards	1200-03-07: Process Emission Standards
1200-03-10: Required Sampling, Recording, and Reporting	1200-03-14: Sulfur Dioxide

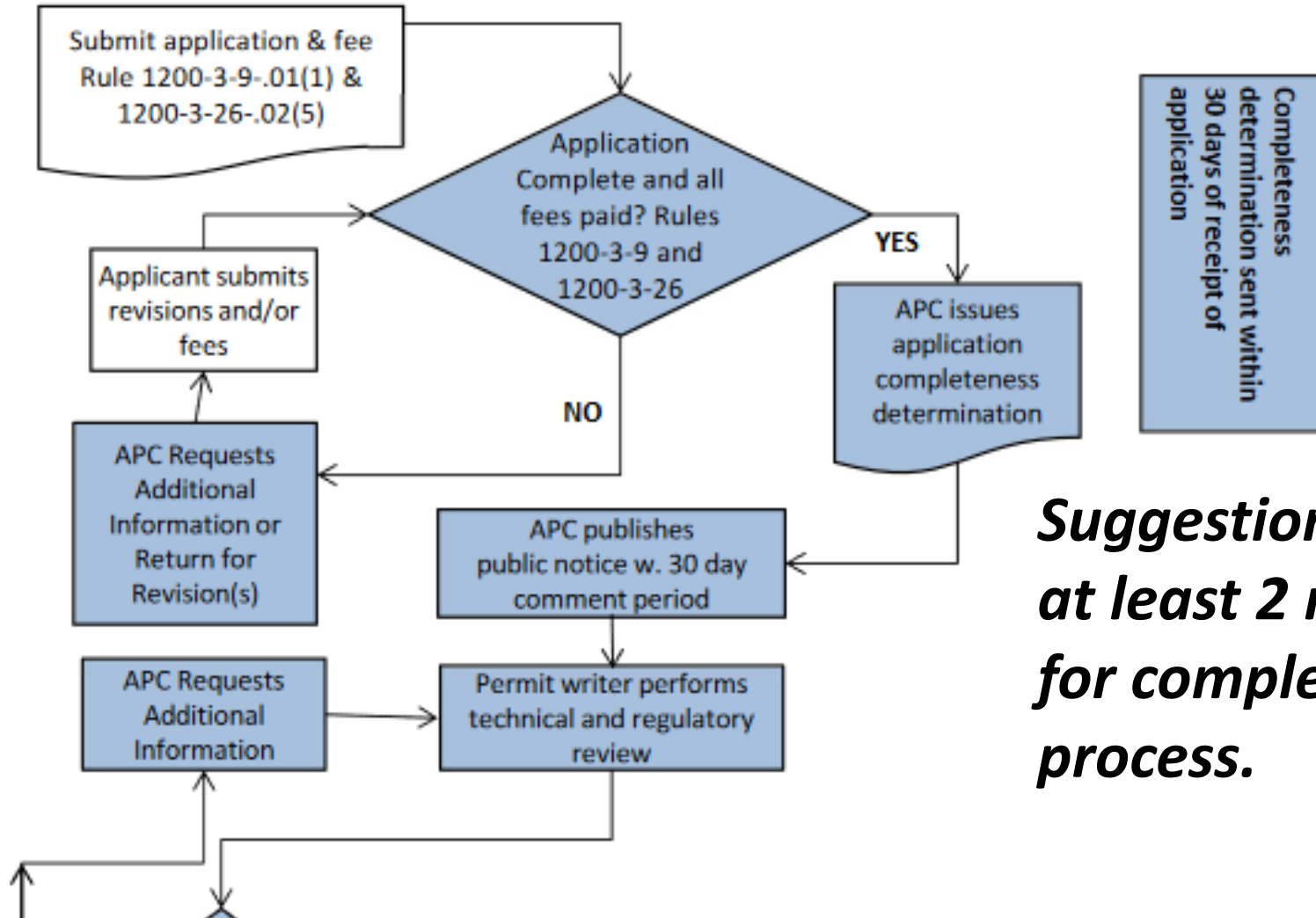
# Standard Conditions (continued)

Miscellaneous Conditions		
Facility-Wide Limitations	Input Limitations	Production Limitations
Operating Hours Limitations	NSPS Subpart Dc	NESHAP Subpar 6J
VOC & HAP – Surface Coating	VOC & HAP – Surface Coating w. Waste Solvent Shipped off-site	
Example Recordkeeping Logs		
Material Input Rate (daily avg)	Material Input Rate (mo. Avg)	Monthly/12-Consecutive Month Totals
Gas-Fired Boilers	VOC and HAP	Emergency Engine Operating Hours
Non-Road Generators/Engines		

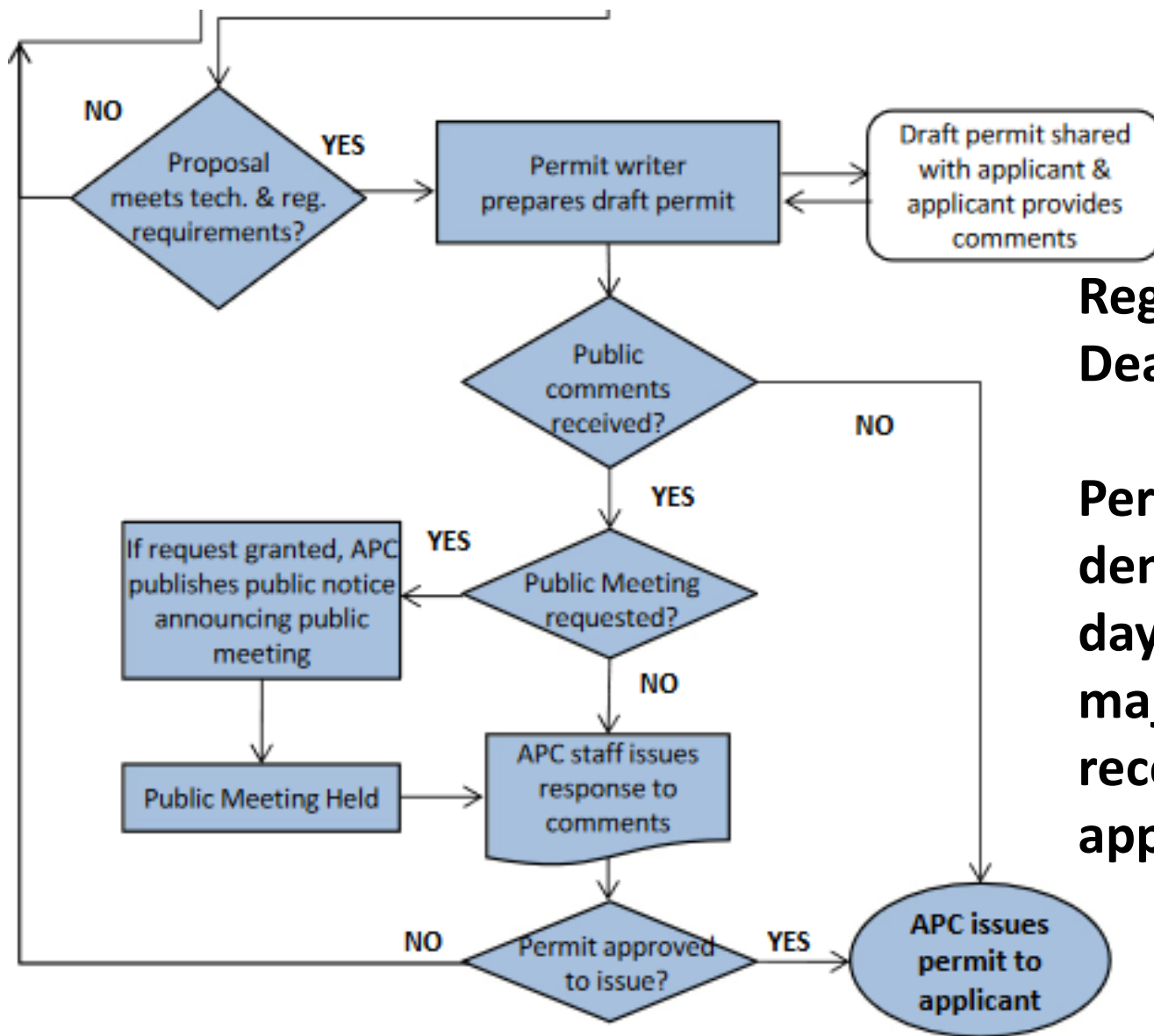
**Last Updated April, 2023**



Air Pollution Control – Non-PSD Construction Permits  
TCA 68-201-105 et seq.  
Rule 1200-3-9 & Rule 1200-3-26



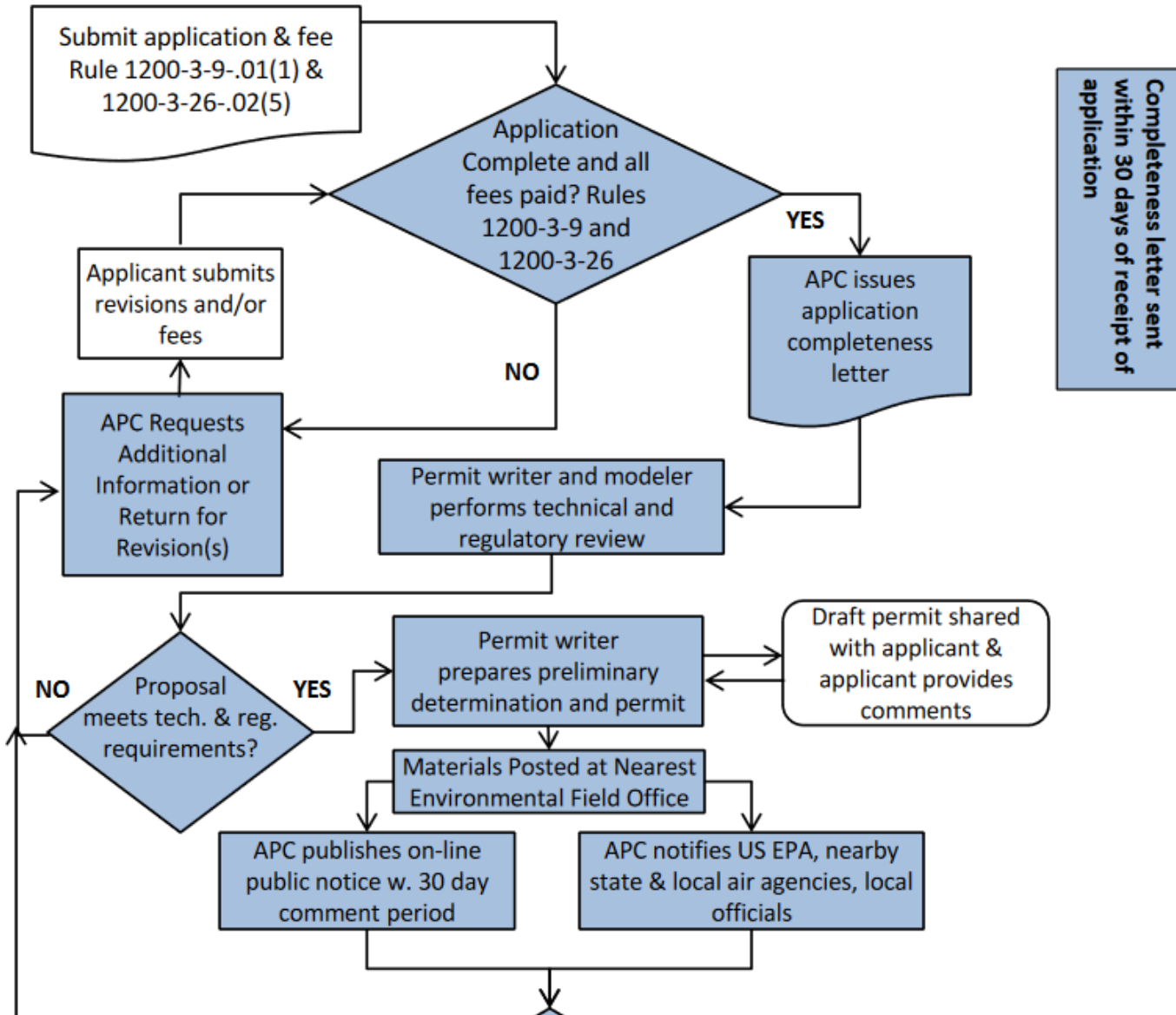
***Suggestion: Allow at least 2 months for completeness process.***



**Regulatory  
Deadline:**

**Permit issued or  
denied within 115  
days (180+ days for  
major sources) from  
receipt of complete  
application.**

Air Pollution Control – PSD Construction Permits  
TCA 68-201-105 et seq.  
Rule 1200-3-9 & Rule 1200-3-26



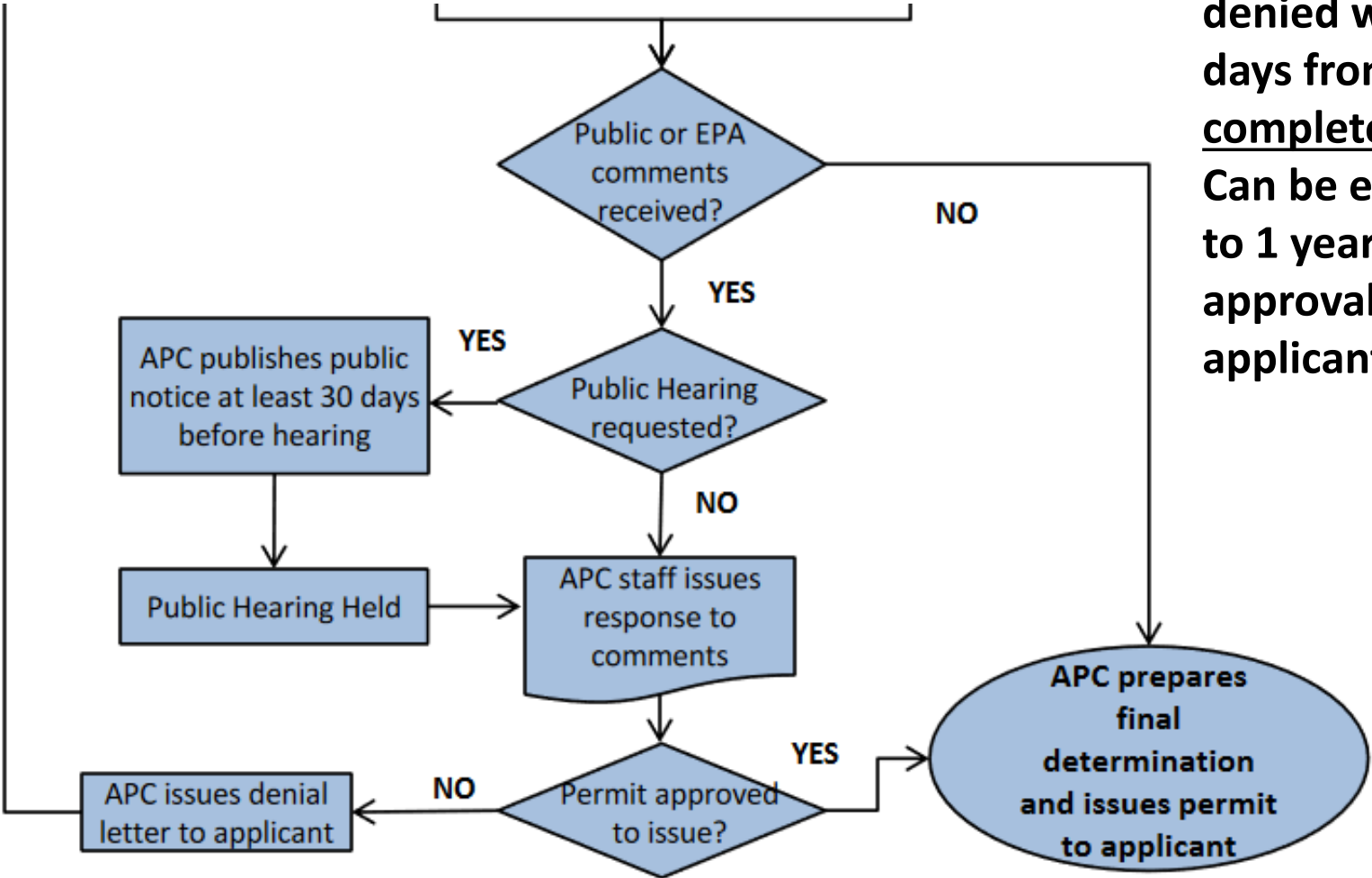
Completeness letter sent within 30 days of receipt of application

***Suggestion:  
Allow at least 2 months for completeness process.***



**Regulatory Deadline:**

**Permit issued or denied within 180+ days from receipt of complete application. Can be extended to up to 1 year with written approval from applicant.**



# Completeness Checklist

[www.tn.gov/environment](http://www.tn.gov/environment) > Permitting > Air Permits > Air Quality Construction Permits  
> Guidance on Construction Permit Application Requirements Checklist

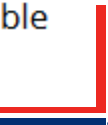
## **Construction Permit Application Checklist**

- Complete items listed in Checklist. The application may be deemed incomplete if items are missing from this checklist.
- Apply for a Construction Permit. Application forms, with instructions, are available on APC's website at [Air Quality Construction Permit](#). The application may be deemed incomplete if applicable information is left blank.
- Non-Title V Source Construction Permit Application Fee - . The processing fee must be sent at the time the construction permit application is submitted. Refer to **Schedule A - Construction Permit Fees** at TAPCR 1200-03-26-.02(5)(g) or <http://publications.tnsosfiles.com/rules/1200/1200-03/1200-03-26.20170815.pdf>.
- Certification/Responsible Person Signature. Applications shall be signed by the responsible person at the facility. Applications that are not signed or dated will not be processed.
- Process Flow Diagram. The process flow diagram shall clearly represent the process emission source covered by the application. All emission points within the source should be shown and identified. If a site has more than one process emission source, a flow diagram showing all of the process emission sources at the site should also be attached. The overall flow diagram needs to be included only once and does not need to be included with subsequent applications unless changes have been made.



# Completeness Checklist

- Supporting Calculations. Full details regarding the calculation method and emission factors used should be included with the emissions. For example:
  - i. If US EPA's AP-42, Compilation of Air Emission Factors, is used, submit the version, chapter, table, equation, etc. ([www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emission-factors](http://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emission-factors))
  - ii. Attach sample calculations and fully explain any assumptions, bottlenecks, etc.
  - iii. Submit any supporting information such as manufacturer's data, material safety data sheets (MSDS), and safety data sheets (SDS).
  - iv. If the emissions are from a source test, provide details on the source test such as the date of the test, was the test approved by the Department, etc. If the source test was not approved by the Department, submit the test details and results.
  - v. If multiple fuels are used, use the worst case fuel to calculate emissions for each pollutant, and list the fuel in the calculation method details. Include the percent of sulfur in the fuel and BTU content of fuel, when appropriate.
  
- Federal Regulatory Review. This section is for sources that are subject to a Federal Regulation. Perform a full regulatory review of all applicable Federal Air Pollution Control Regulations and Standards. Cite all applicable requirements by the Subpart that apply for each emission unit. It is acceptable to cite the applicable section(s) of the Subpart.
  
- Control Device – Compliance. This section is for sources that will use a control device(s) for pollution control. Include all proposed monitoring, recordkeeping, and reporting requirements to demonstrate compliance. If the control device is covered by a federal regulation, it is acceptable to cite the applicable section(s) of the Subpart.



# Completeness Checklist

- Nonattainment Counties. All minor stationary sources, and minor source modifications at a minor stationary source, proposing to construct in nonattainment areas, shall address best available control technology (BACT) for the nonattainment pollutant. See <https://www3.epa.gov/airquality/greenbook/ancl.html> for more information.
- Secretary of State Identification Number. Construction permits are issued to the name indicated on your registration filed with the Secretary of State. If your status is not current, please update your account before applying for a Construction permit.

OR

If you are not registered with the Tennessee Department of State, T.C.A. 48-11-301 and T.C.A. 48-249-101 provides the specific filing requirements that an entity must execute in order to achieve corporate status recognition in Tennessee. If you wish to complete the application process, please contact the Tennessee Department of State Business Service Division at 615-741-2286 or visit <https://sos.tn.gov/business-services/business-entity-filings> to determine the requirements with which you must comply to achieve corporate status recognition.

OR

If you decide not to pursue this option or the facility is not owned by a corporation, you must provide the Division with the name of the individual who owns or operates the facility along with the facility address on the application forms.

# Completeness Checklist

- Confidential Information. Request a confidential form for any information contained in your application that should be treated as confidential. Submit this form with the accompanying information. Because the Division cannot guarantee the confidentiality of electronic documents, please do not send any confidential information through email. Submit a redacted copy of the document(s) that can be made available to the public. The identity and magnitude of emissions from an air contaminant source cannot be deemed confidential per TCA 68-201-105(b)(2).  
See [CN-1060 Request for Protection Order for Confidential Information](#) for more information.
- Submit Construct Permit Application. Submit the construction permit application fee to the following address or email. For applications submitted by mail, only one copy should be submitted unless the application includes a request for confidential information (see above). Application fee payments should be submitted to the address below. When submitting an application via email, the fee payment should be mailed to the address below with the facility ID number and “construction application fee” indicated on the check.

Tennessee Permit Program  
Division of Air Pollution Control  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 15<sup>TH</sup> Floor  
Nashville, TN 37243

OR

Adobe Portable Document Format (PDF)  
by email to: [Air.Pollution.Control@tn.gov](mailto:Air.Pollution.Control@tn.gov)



# Don't forget permits for construction-related activities



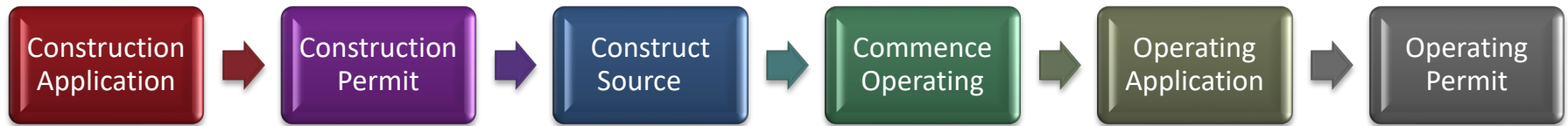
**Portable Rock Crushers**

**Portable Cement Plants**



# Combined Construction and Operating Permits

## Typical Permitting Process



## Combined Construction and Operating Permit Process (Combos)



- For True Minor and Conditional Major Sources
- Need agreement letter to pay annual fees upon receipt of combo permit
  - APC adding this to application. Once available, agreement letter not needed.
- Will issue combo if no physical construction involved
- 66% of TM and CM construction permits in past year were combos

# Title V Sources Now Pay Construction Fee

From November 10, 2021, Board Adoption:

Part 1 of subparagraph (a) of paragraph (9) of Rule 1200-03-26-.02 Construction and Annual Fees is amended by deleting it in its entirety and substituting instead the following:

1. A responsible official of a major source or a source subject to paragraph (11) of Rule 1200-03-09-.02 (hereinafter, "Paragraph 11 source") must pay an annual fee to the State of Tennessee. A major source or Paragraph 11 source is not subject to the minor and conditional major source annual fees of paragraph (6) of this rule on or after July 1, 1994. ~~Once Prior to July 1, 2022, a major stationary source or Paragraph 11 source begins to pay paying~~ major source annual fees pursuant to this paragraph (9), ~~it~~ will not be subject to the construction permit fees of paragraph (5) of this rule for any additional construction occurring at the source as long as the source remains a major source or Paragraph 11 source. On or after July 1, 2022, all major sources and Paragraph 11 sources are subject to the construction permit fees of paragraph (5) of this rule.

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



## Incorporation of Federal Standards by Reference (IBR)

- NESHAPs (Parts 61 and 63) incorporated by reference in TAPCR 0400-30-38
  - As published in 40 CFR as of July 1, 2000
  - Effective 12/28/22
  - Will be updated each year
- NSPS (Part 60) to be incorporated by reference in TAPCR 0400-30-39
  - As published in 40 CFR as of July 1, 2022
  - Public Hearing 6/27/2023

# What IBR Changes

- TN rules will be updated to match federal rules on a regular basis
- Unpermitted Facilities
  - Can directly enforce provisions of NSPS and NESHAPs
    - Previously could only enforce requirement to get a permit
- Citation of Federal Rules in Permits
  - May cite state rule as well as federal rule

# What IBR does Not Change

- Enforcement of NESHAP and NSPS for Permitted Facilities
- Which federal rules are incorporated into permit
- Level of detail of federal rules in permits
- Process for putting new & revised federal rules into permits



**Ongoing Work**

# Non-Title V 1200-03-02-.01(1)(aa)4 changes (formerly “Non-Title V Operational Flexibility”)

- Construction permit rule 1200-03-09-.01(1)(aa)
  - o Except as specifically exempted in Rule 1200-03-09-.04, no person shall begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Secretary a construction permit or, if applicable, submitted a notice of intent and obtained a notice of coverage or authorization, for the construction or modification of such air contaminant source.

# Non-Title V 1200-03-02-.01(1)(aa)4 changes (formerly “Non-Title V Operational Flexibility”)

- Modification rule including (aa)4 language 1200-03-02-.01(1)(aa)
  - o Modification is any physical change in or change in the method of operation of an air contaminant source, which increases the amount of any air contaminant (to which an emission standard applies) emitted by such source or which results in the emission of any air contaminant (to which an emission standard applies) not previously emitted except that:
    4. Any physical change in or change in the method of operation of an air contaminant source not subject to requirements of paragraphs 1200-03-09-.02(11), 1200-03-09-.01(4), and 1200-03-09-.01(5) and which does not result in emissions exceeding the emissions allowable under the existing operating permit and which does not result in the emission of any air contaminant (to which an emission standard applies) not previously emitted, shall not require a construction permit under subparagraph 1200-03-09-.01(1)(a). The air contaminant source, to make changes pursuant to this part, shall provide the Technical Secretary with written notification of at least 7 days in advance of the proposed change. The written notification shall contain a brief description of the change, the date on which the change will occur, pollutants emitted, declaration of any change in emissions, and any applicable requirements that would apply as a result of the change. The written notice shall also contain a statement that the change does not result in emissions exceeding the emissions allowable under the existing operating permit. The Technical Secretary and the air contaminant source shall attach each such notice to their copy of the relevant permit.

# Non-Title V 1200-03-02-.01(1)(aa)4 changes (formerly “Non-Title V Operational Flexibility”)

- 2018 advice from TDEC OGC – “...we don’t see operational flexibility allowed for new process emission sources at non-T5 facilities...”
- No APC regulatory provision or guidance on what defines “source” or “process emission source”
  - Sources often identified in permit based on how they are reflected in application
- APC currently working with Office of General Counsel to better define “source”
- Possible Rulemaking

# Proposed Fee Rule Changes

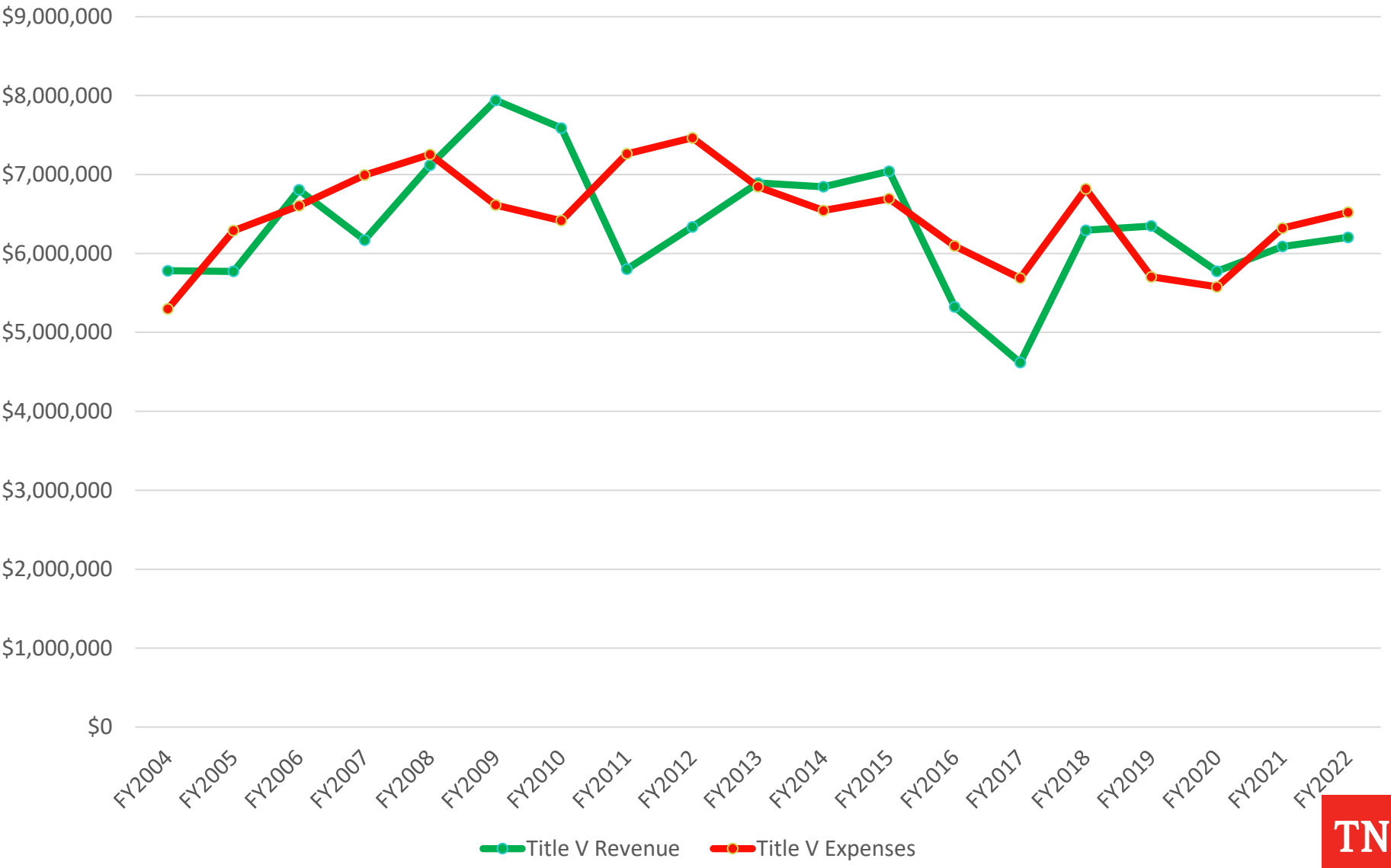
- Title V Funding Diversification
- General Permit Fees
- Miscellaneous Changes



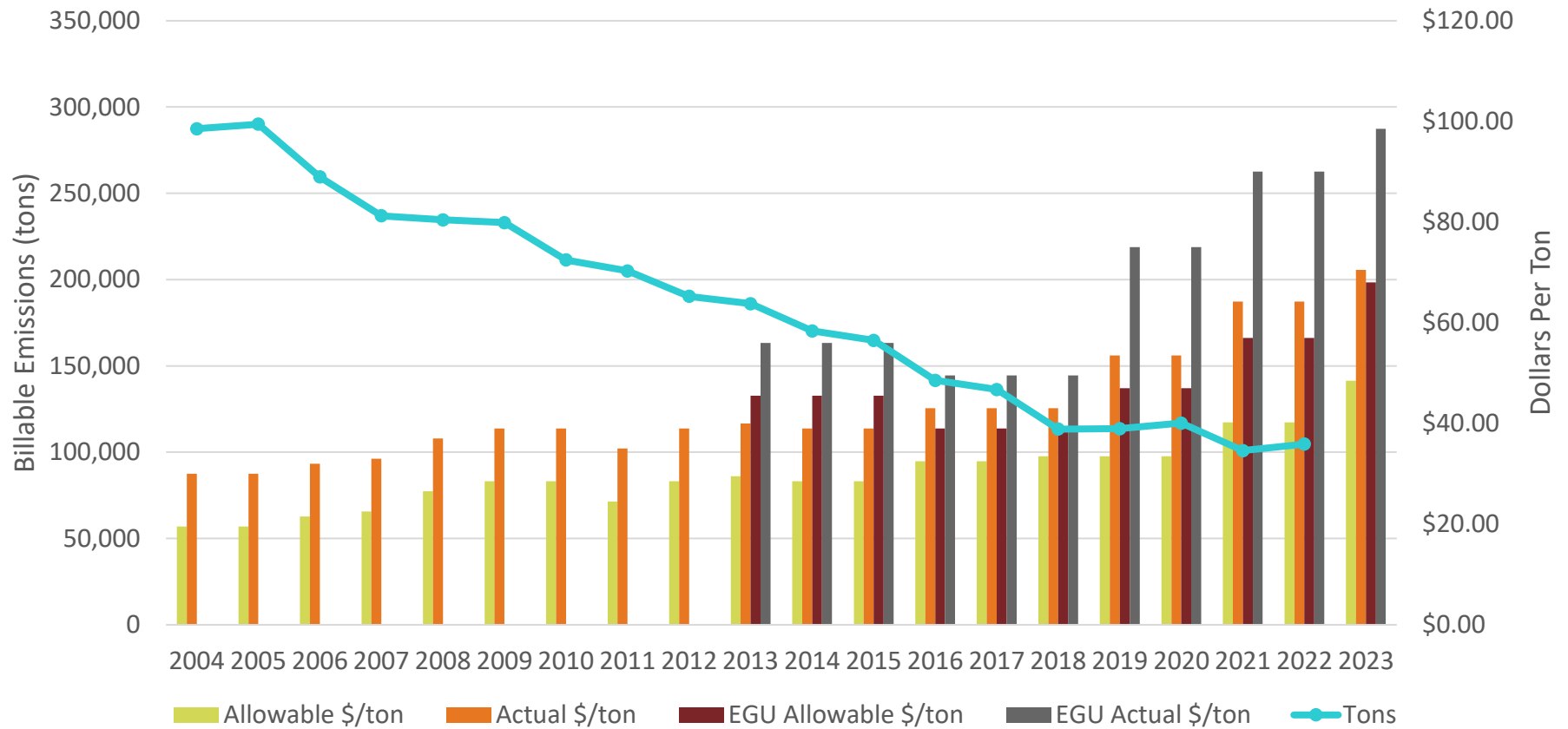


# Title V Program Funding Diversification

# TV Revenue and Expenses



# Emissions vs Fee Rates



# Proposal - Annual Title V Fee Dollar Per Ton and Minimum Fee

- Remains **unchanged** at:
  - Non-EGU Actual - \$70.50 per ton
  - Non-EGU Allowable - \$48.50 per ton
  - EGU Actual - \$98.50 per ton
  - EGU Allowable - \$68.00 per ton
- Minimum Fee
  - Currently \$10,000
  - Proposal - **Eliminate**

# Proposal - Annual Title V Fee – Base Fee

- Base Fee - Currently \$6000 per Facility
- Proposal

Number of federal air quality standards	Base Fee
0	\$10,000
1	\$15,000
2 to 3	\$20,000
4 to 5	\$30,000
6 to 10	\$40,000
11 to 20	\$50,000
21 and up	\$75,000

- Alternative Proposal

Number of federal air quality standards	Base Fee
0 to 1	\$15,000
2 to 4	\$20,000
5 to 9	\$40,000
10 and up	\$75,000

# Proposal - Annual Title V Fee

## Title V Modification Fee

- Each Minor Modification Issued - \$2800
- Each Significant Modification Issued - \$5000
- Billed with Annual Title V Fee

(Complete Minor Mod Sig Mod applications received before 7/1/2024 not subject to Title V Modification Fee)

# Proposed - Application Fees for Title V Sources

1200-03-26-.02(5)(a)2

- Construction Permit Application Fee

Anticipated Maximum Emission Rate	Current Fee (TV & non-TV)	Proposal (TV)	Alternative Proposal (TV)
<10 tons/yr	\$100	\$7000	\$4000
10 to < 100 tons/yr	\$500		
100 to < 250 tons/yr	\$1000		\$8000
250 to < 500 tons/yr	\$2000		\$15,000
500 to < 1000 tons/yr	\$3000		\$30,000
1000 to < 5000 tons/yr	\$4000		\$40,000
≥ 5000 tons/yr	\$5000		\$50,000

- Fee for Non-TV Sources Remain the same

# Proposed Application Fees for Title V Sources

1200-03-26-.02(5)(a)2

- Other Application Fees
  - PSD and Nonattainment NSR Permit - \$70,000
  - PAL (initial or renewal) - \$10,000 per pollutant
    - Added deadline of 18 months (1200-03-26-.02(5)(e)3.)
  - Title V to Conditional Major Permit - \$18,000
    - Added deadline of 18 months (1200-03-26-.02(5)(e)4.)
- Instead of Regular Construction Fee
- All due upon submission of application

(Complete applications received < 7/1/2024 not subject to new fees.)





# General Permit Fees

# What is a General Permit?

- A traditional air quality permit issued by APC that sources can voluntarily subject itself to.
  - Single Permit issued by APC for a specific type of facility
  - Looks like a traditional permit but not issued to specific facility
- A general permit acts as both a construction and an operating permit.

# How do General Permits Work?

- APC Issues a General Permit for the source category
  - 30 day public notice required
- Only requires one Notice of Intent (NOI) from the source to be covered.
- 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
  - 30 day comment period
- Technical Secretary will issue a Notice of Coverage (NOC)
  - Provide copy of General Permit

# General Permits

- Advantages of a General Permit:
  - Uniform permit conditions
  - Faster issuance of a permit
    - May be able to cut the time in half that it takes to issue a permit
  - Simpler
    - Only one permit application needed, rather than two as currently.
    - Uniform permit conditions resulting in uniform reporting and recordkeeping

# General Permit Status

- Two Currently Available
  - G00001 – Perchloroethylene Dry Cleaners – Issued 2/2/2017
  - G00002 – Petroleum Solvent Dry Cleaning – Issued 2/2/2017
- One Currently Under Development
  - Concrete Batch Plants with emissions < 10 tpy
- To Be Developed:
  - Concrete Batch Plants with Emissions  $\geq$  10 tpy
  - Portable Rock Crushers at True Minor Facilities
  - Portable Rock Crushers at Conditional Major Facilities
  - Asphalt Plants
  - Air Curtain Incinerators
    - Construction Permit
    - General Title V Operating Permit
  - Sawmills (maybe)

# General Permit-Related changes

- 1200-03-26-.02(j) – removed fee exemption for General Permits
- 1200-03-26-.02(5)(a)4 – fees for General Permits that serve as construction permits
  - Dry Cleaners - \$100
  - Concrete Batch Plants - \$100
  - Portable Rock Crushers - \$100
  - Asphalt Plants - \$250
  - Air Curtain Incinerators - \$500 (added by APC during public hearing)
- 1200-03-26-.02(6)(f) – annual fees for General Permits (non-Title V fees)
  - Dry Cleaners - \$0
  - Concrete Batch Plants with emissions < 10 tpy - \$0
  - Concrete Batch Plants with Emissions >= 10 tpy - \$400
  - Portable Rock Crushers at True Minor Facilities - \$1000
  - Portable Rock Crushers at Conditional Major Facilities - \$1500
  - Asphalt Plants - \$1500



# Miscellaneous & Administrative Fee Rule Changes

# Administrative & Miscellaneous Changes

- Substantive Changes
  - Extend Issuance/Denial Deadlines when Agreement Letter or Compliance Schedule Required
  - Sources issued a combined construction and operating permit required to pay annual fees upon issuance of combined construction and operating permit
    - Eliminates need for agreement letter
  - Due date for facilities who determine fee based on **actual** or combination of **actual** and allowable on **fiscal year** (July 1 to June 30) – moved from July 1 to August 1
    - Extension for **actual & actual**/allowable on **fiscal** year changed from 90 days to 60 days (will change from September 29<sup>th</sup> to September 30<sup>th</sup>)



# Fee Rulemaking Schedule

- Brief APC Board – 6/14/2023
- Public Webinar – 7/18/2023
- Public Hearing – 8/11/2023
- Board Adoption – 10/11/2023
- October, 2023 – June, 2024
  - Governor’s Office Approval
  - Attorney General’s Review
  - File with Secretary of State
  - Review by Joint Government Operations Committee
- Effective 7/1/2024
  - For Construction Fees due After 7/1/2024
  - For Title V Annual Fees due in 2025 & Beyond

# Title V Fee Engagement webpage

<https://www.tn.gov/environment/program-areas/apc-air-pollution-control-home/apc/title-v-fee-engagement.html>

Preliminary Tennessee Ozone Data for 2021 - 2023\*

County	Site Name	MONITOR ID	2021 4th Max.	2022 4th Max.	Preliminary 2023 4th Max.	Preliminary 2021 2023 DV> 0.070 PPM *	2023 4th Max Needed for 8 Hr DV Violation (>0.070 PPM)
Anderson Co	Freels Bend_Study Area Melton Lake	470010101 - 1	0.060	0.059	0.064	0.061	0.094
Blount Co	Great Smoky Mountains Np Look Rock	470090101 - 1	0.064	0.068	0.072	0.068	0.081
Blount Co	Great Smoky Mountains Np - Cades Cove	470090102 - 1	0.057	0.063	0.064	0.061	0.093
Davidson Co	1015 Trinity Lane	470370011 - 1	0.065	0.067	0.067	0.066	0.081
Davidson Co	Percy Priest	470370026 - 1	0.063	0.067	0.070	0.066	0.083
Hamilton Co	3018 Hickory Valley Rd- Eastside Utility Filter Plant	470654003 - 1	0.062	0.069	0.066	0.065	0.082
Hamilton Co	Soddy Daisy H.S. 00618 Sequoyah Rd	470651011 - 1	0.061	0.066	0.065	0.064	0.086
Jefferson Co	1188 Lost Creek Rd	470890002 - 1	0.066	0.061	0.066	0.064	0.086
Knox Co	9315 Rutledge Pike Mascot Tn 37806	470930021 - 1	0.061	0.060	0.063	0.061	0.092
Knox Co	4625 Mildred Drive	470931020 - 1	0.061	0.058	0.060	0.059	0.094
Loudon Co	1703 Roberts Rd Loudon	471050109 - 1	0.065	0.058	0.067	0.063	0.090
Sevier Co	Great Smoky Mountain Np Cove Mountain	471550101 - 1	0.063	0.064	0.063	0.063	0.086
Sevier Co	Clingsmans Dome, Great Smoky Mtns. Np	471550102 - 1	0.059	0.063	0.069	0.063	0.091
Shelby Co	1330 Frayser Blvd	471570021 - 1	0.067	0.069	0.070	0.068	0.077
Shelby Co	6855 Mudville Rd. Edmond Orgill Park	471571004 - 1	0.063	0.069	0.069	0.067	0.081
Shelby Co	Shelby Farms	471570075 - 1	0.071	0.074	0.075	0.073	Threshold Met
Sullivan Co	Hill Road	471632002 - 1	0.064	0.063	0.065	0.064	0.086
Sullivan Co	Ketron Middle School On Bloomingdale Rd.	471632003 - 1	0.062	0.061	0.065	0.062	0.090
Sumner Co	Rockland Recreation Area-Old Hickory Dam	471650007 - 1	0.066	0.063	0.076	0.068	0.084
Williamson Co	Fairview Middle School Crow Cut Road	471870106 - 1	0.059	0.067	0.068	0.064	0.087
Wilson Co	Cedars Of Lebanon State Park	471890103 - 1	0.060	0.064	0.071	0.065	0.089
Claiborne	SPD 718 Russell Hill Rd, Speedwell, TN 37870	470259991 - 1	0.059	0.057	0.065	0.060	0.097
DeKalb	ESP Edgar Evans State Park, Smithville, TN 37166	470419991 - 1	0.058	0.059	0.064	0.060	0.096
Christian (KY)	Hopkinsville	210470006 - 1	0.059	0.061	0.070	0.063	0.093
Trigg (KY)	Cadiz (EPA)	212219991 - 1	0.060	0.059	MONITORING SUSPENDED		
DeSoto (MS)	5 East South	280330002 - 1	0.065	0.075	0.071	0.070	0.073
Crittenden (AR)	Marion	050350005 - 1	0.072	0.071	0.074	0.072	Threshold Met

\* The current year data has not undergone QA/QC validation procedures. It is considered preliminary and subject to change.

\*\* Truncation to the 3rd digit applied 0.0706 = 0.070 ppm.

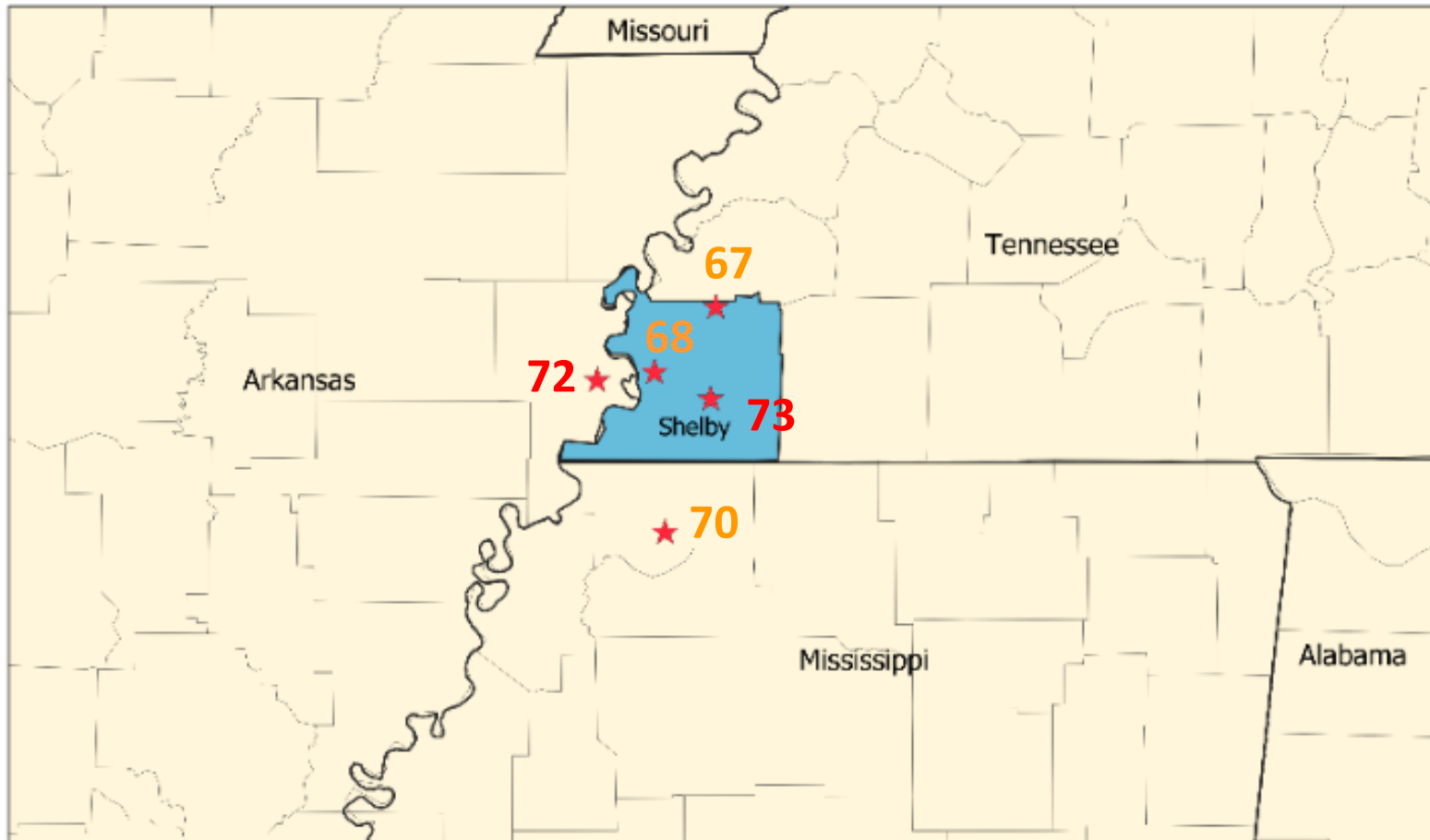
0.055	0.064	Less than .064
0.065	0.070	Between .065 and .070
0.071	0.077	Greater than .070

Data updated through: 09/11/2023



# Unofficial 2023 Memphis Area Ozone Design Values

## Memphis Area Ozone Monitors





# Advance Program

## Reducing Ozone and Particle Pollution

The Advance Program supports states, tribes and local governments that want to take proactive steps to keep their air clean by promoting local actions to reduce ozone and/or fine particle pollution.

1

2

3

4



# Other Permit-Related Information

# Reporting to CEDRI

- Air Division permits required reporting directly to the Division. Example:

### G3. Submittals

Unless otherwise specified within this permit, the permittee shall submit, preferably via email and in Adobe Portable Document format (PDF), all applicable plans, checklists, certifications, notifications, test protocols, reports, and applications to the attention of the following Division Programs at the email addresses indicated in the table below:

Permitting Program	Compliance Validation Program	Field Services Program
<ul style="list-style-type: none"><li>• Notifications</li><li>• Startup certifications</li><li>• Applications</li><li>• NSPS reports</li><li>• MACT/GACT/NESHAP reports</li><li>• Emission Statements</li></ul>	<ul style="list-style-type: none"><li>• Test protocols</li><li>• Emission test reports</li><li>• Visible emission evaluation reports</li></ul>	<ul style="list-style-type: none"><li>• Semiannual reports</li><li>• Annual compliance certifications/status reports</li></ul>
Division of Air Pollution Control William R. Snodgrass TN Tower, 15 <sup>th</sup> Floor 312 Rosa L. Parks Avenue Nashville, TN 37243 <a href="mailto:Air.Pollution.Control@tn.gov">Air.Pollution.Control@tn.gov</a>		Knoxville Environmental Field Office Division of Air Pollution Control 3711 Middlebrook Pike Knoxville, TN 37921 <a href="mailto:APC.KnoxEFO@tn.gov">APC.KnoxEFO@tn.gov</a>

The permittee shall submit the information identified above as requested in this permit. In lieu of submitting this information to the email addresses above, the permittee may submit the information to the attention of the respective Division Programs at the mailing addresses listed above.

TAPCR 1200-03-09-.03(8)





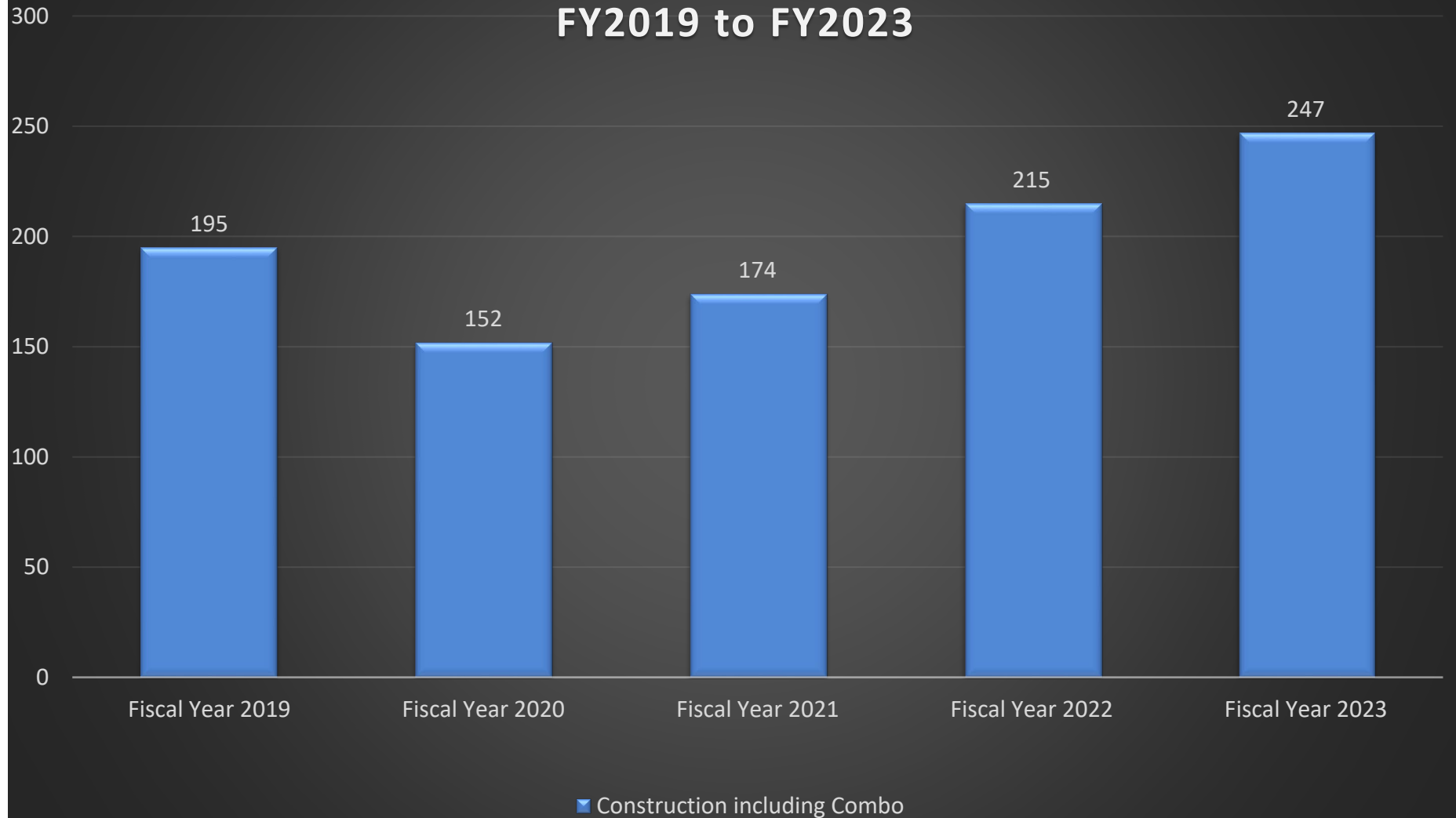
# Reporting to CEDRI

- EPA is increasing the number of federal rules that require direct reporting to EPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI).
- Facilities subject to CEDRI must submit reports to **both** CEDRI and the Division.



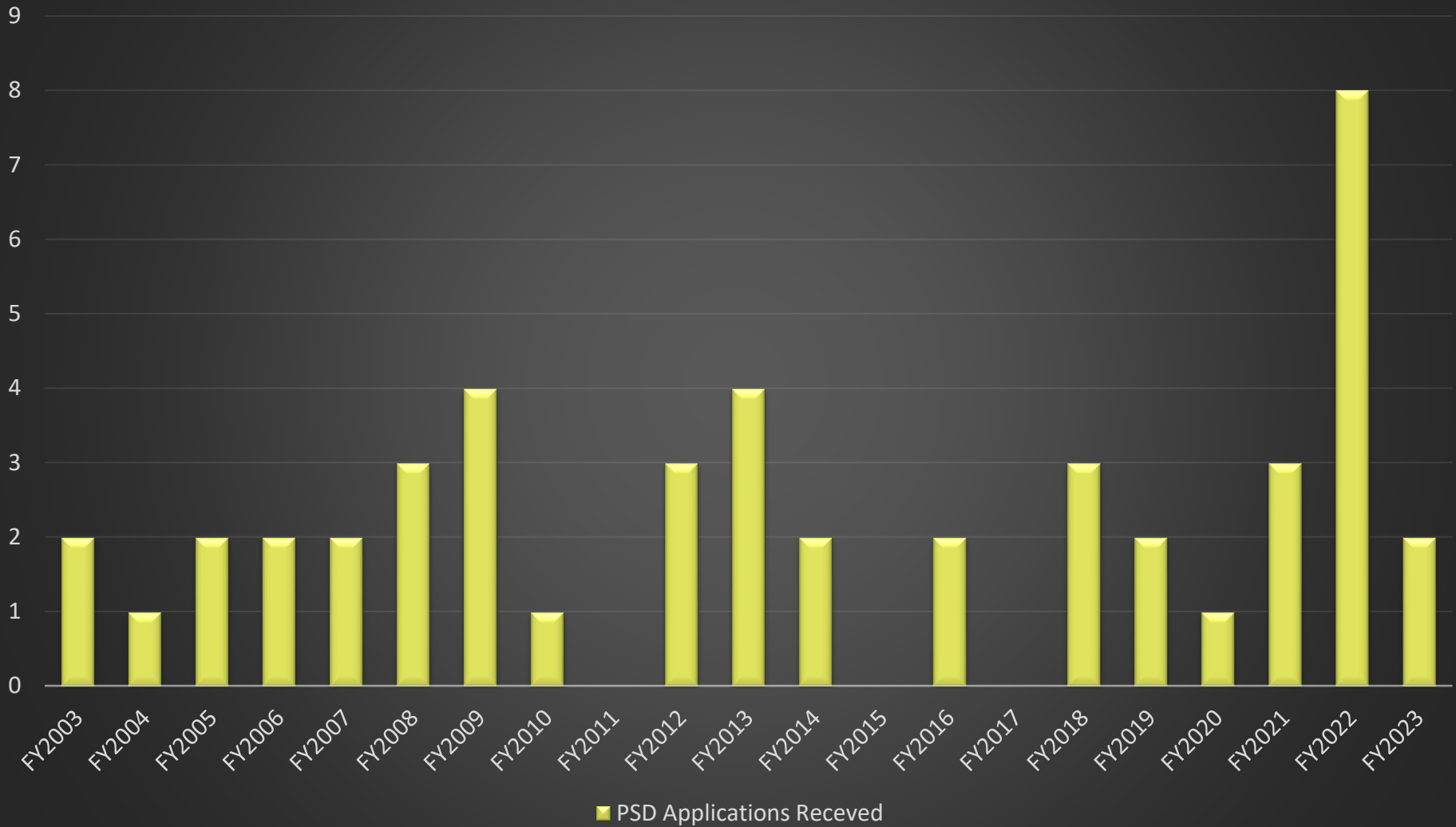
# Permitting Workload

## Non- PSD Construction Permit Applications Received FY2019 to FY2023



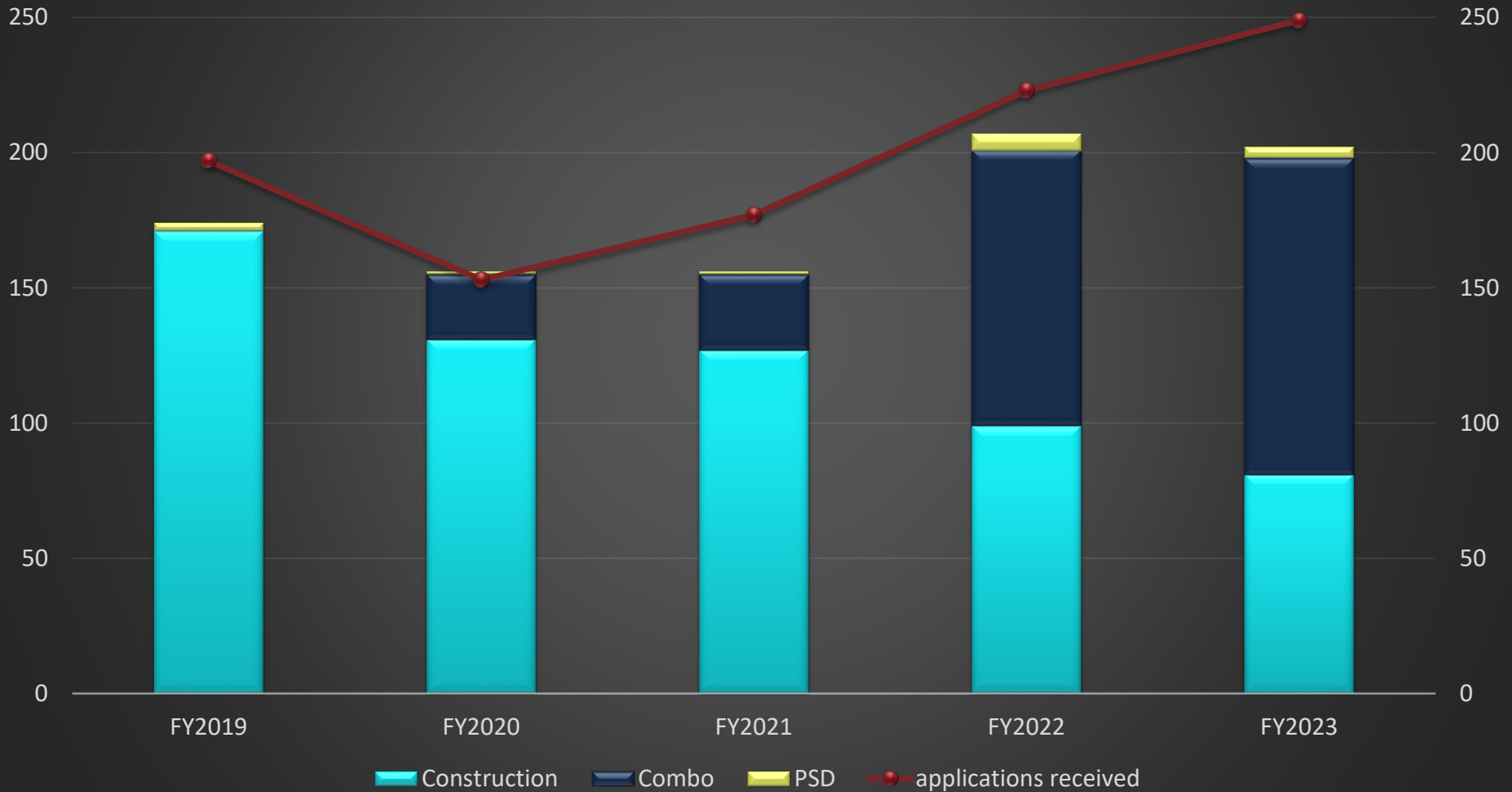
# Permitting Workload

## PSD Applications Received



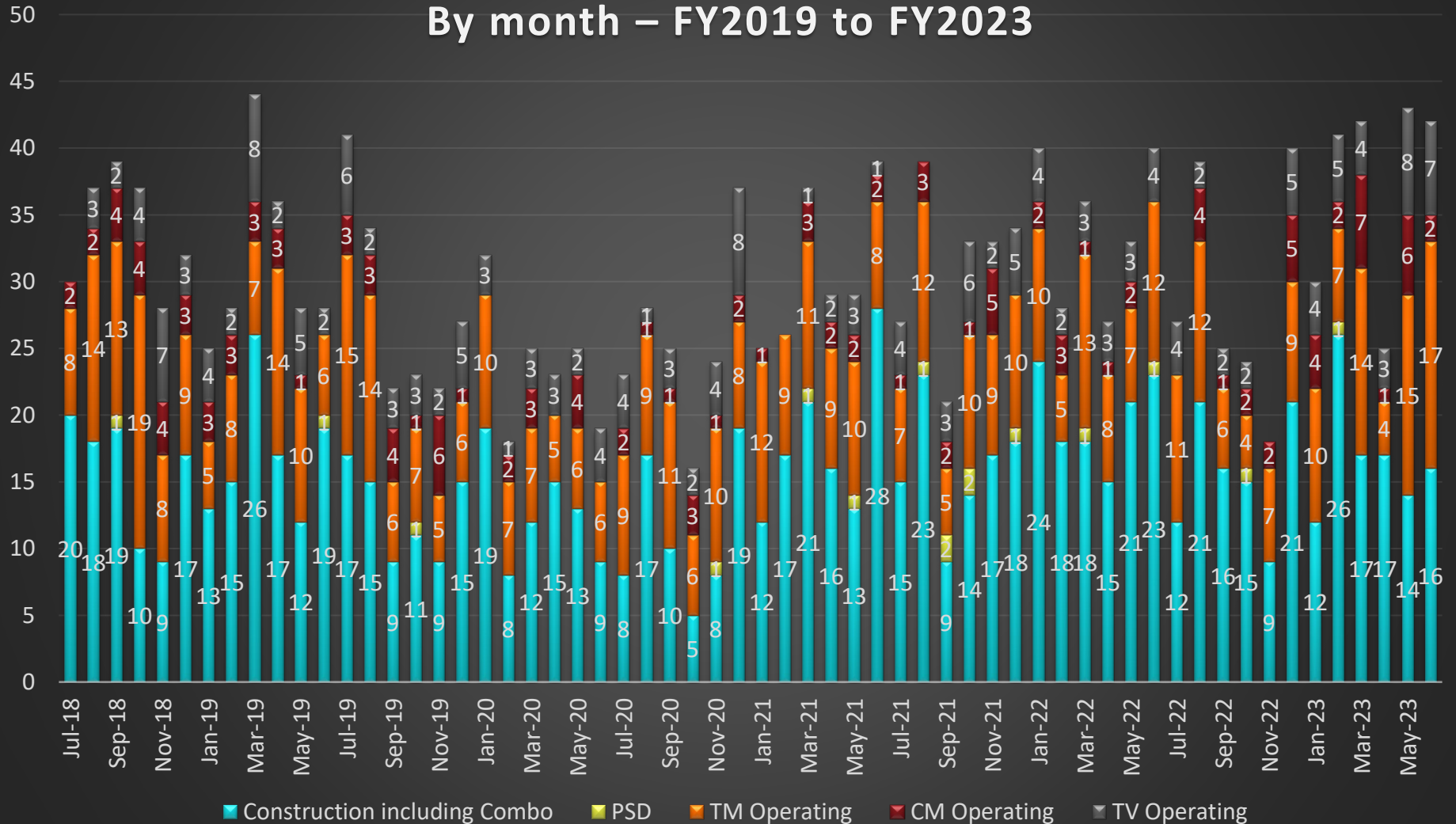
# Permitting Workload

## Construction Permits Issued by Fiscal Year FY2019 to FY2023



# Permitting Workload

## All Permit Applications Received By month – FY2019 to FY2023





# Possible Future Permit Process Changes due to EPA Policy & Rule Changes



# Environmental Justice and Permitting

- ▶ 4/7/21: Administrator Regan acts on Executive Orders 13985 and 14008 by directing EPA offices to infuse equity and environmental justice principles and priorities into all EPA practices, policies, and programs
- ▶ Efforts ongoing at all levels at EPA to refine objectives and strategies for incorporating EJ into our work
  - ▶ In the permitting context, focus is currently on best practices for promoting meaningful engagement with communities, including training for EJ communities on the permitting process and how they can participate effectively
  - ▶ Also looking at how to identify communities of concern, develop appropriate analytical tools and safeguards

## Environmental Justice

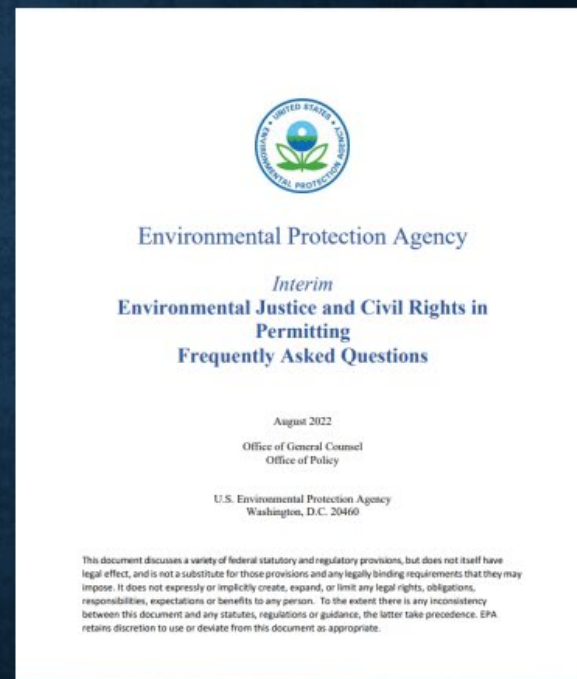
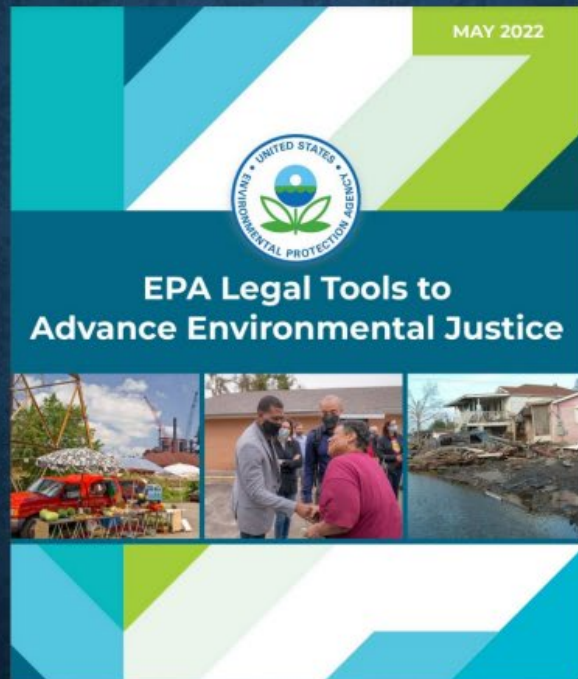
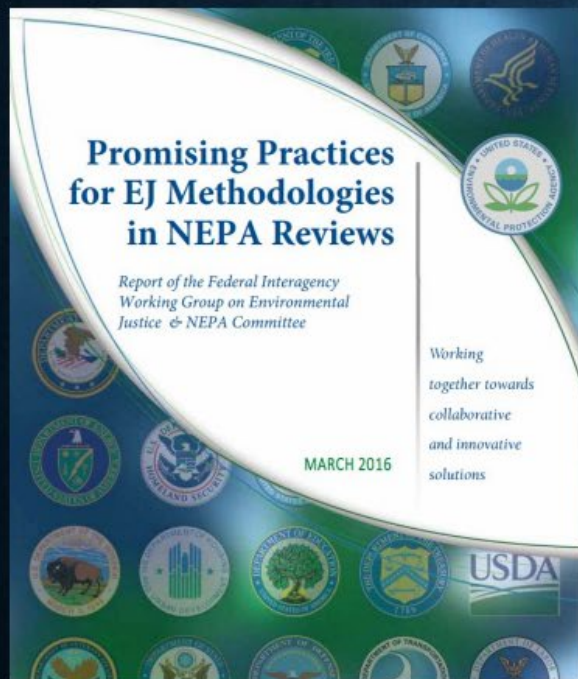
The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies



## R4 Environmental Justice and Permitting

- ▶ EPA has developed training on the process for public participation in air permitting for EJ communities
  - ▶ Sessions held for multiple communities in Alabama, Florida, Kentucky, Mississippi, North Carolina, and South Carolina
  - ▶ More sessions being planned for FY23
- ▶ Increasing complaints concerning accessibility of public meetings for the hearing impaired and citizens whose first language is not English

From 9/30/2022 presentation by Philip Fine, Principal Deputy Associate Administrator for Policy, U.S. EPA







# EPA Launches New National Office Dedicated to Advancing Environmental Justice and Civil Rights

EPA's historic Office of Environmental Justice and External Civil Rights will position the agency to better advance environmental justice, enforce civil rights laws in overburdened communities, and deliver new grants and technical assistance

September 24, 2022

# Non-Title V Permit Public Participation

- 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans

## **§ 51.161 Public availability of information.**

(a) The legally enforceable procedures in § 51.160 must also require the State or local agency to provide opportunity for public comment on information submitted by owners and operators. The public information must include the agency's analysis of the effect of construction or modification on ambient air quality, including the agency's proposed approval or disapproval.

(b) For purposes of paragraph (a) of this section, opportunity for public comment shall include, as a minimum—

- (1) Availability for public inspection in at least one location in the area affected of the information submitted by the owner or operator and of the State or local agency's analysis of the effect on air quality. This requirement may be met by making these materials available at a physical location or on a public Web site identified by the State or local agency;
- (2) A 30-day period for submittal of public comment; and
- (3) A notice by prominent advertisement in the area affected of the location of the source information and analysis specified in paragraph (b)(1) of this section.

- TN's Approved SIP requires 30-day comment permit but **does not require draft permit be available.**
- EPA to issue guidance Winter-Spring, 2024



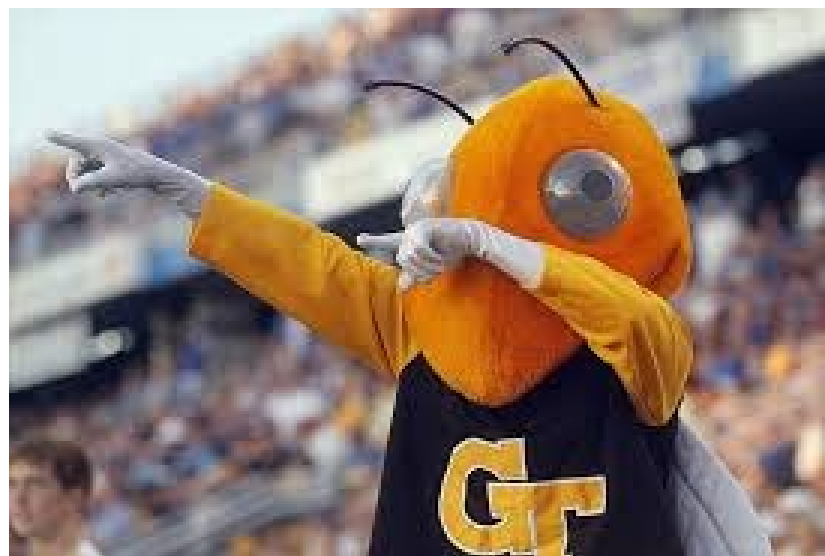
# Reconsideration of PM NAAQS

- EPA is reconsidering the December 2020 final decision to retain, without revision, the PM NAAQS.
- EPA has issued a rulemaking (88 FR 5558, January 27, 2023) which proposes to:
  - Revise the primary (health-based) annual  $PM_{2.5}$  standard from its current level of  $12.0 \mu\text{g}/\text{m}^3$  to within the range of  $9.0$  to  $10.0 \mu\text{g}/\text{m}^3$ .
  - Retain the secondary (welfare-based) annual  $PM_{2.5}$  standard and primary and secondary 24-hour  $PM_{2.5}$  standards ( $35 \mu\text{g}/\text{m}^3$ ), and primary and secondary  $PM_{10}$  standards.
  - Revise certain other provisions related to the PM NAAQS, including revisions to the Air Quality Index (AQI) and monitoring requirements.
- The public comment period for this proposal closed on March 28, 2023. EPA anticipates a final rulemaking in Fall 2023.

# Tennessee 2010-2022 Design Values and Alternative Annual PM<sub>2.5</sub> Standards

Alternative Annual PM <sub>2.5</sub> Standard, micrograms per cubic meter (µg/m <sup>3</sup> )	Monitors with 2019-2021 Design Values Above Standard	Areas Affected
11.0	0	-
10.0	0	-
9.0	1	Chattanooga
8.0	3	Knoxville, Chattanooga

Jimmy Johnston  
Deputy Director  
TDEC Division of Air Pollution Control  
[james.johnston@tn.gov](mailto:james.johnston@tn.gov)  
615-253-7319



®

Questions?