

Petition for Exemption From State Supervision of Local Air Pollution Control Programs to the Tennessee State Air Pollution Control Board

The Tennessee Air Quality Act (TCA §§ 68-201-115(a)) allows local governments to adopt regulations that are not less stringent than those of the State. Specifically, TCA §§ 68-201-115(a) states:

“(a) Any municipality or county in this state may enact, by ordinance or resolution respectively, air pollution control regulations not less stringent than the standards adopted for the state pursuant to this part...”

Additionally, TCA §§ 68-201-115(b)(3) states:

“(3) The certificate of exemption shall be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A) are being, or will be, adequately enforced; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;”

These provisions in the TCA allow the Tennessee Air Pollution Control Board to grant a certificate of exemption from State supervision to any municipality or county in Tennessee.

Therefore, this petition with supporting information is being presented to allow entities an exemption from State supervision. These entities are referred to here as “Local Programs” to conduct the regulatory requirements typically conducted by the State Air Pollution Control Division. The petition can be for a duration up to two years (TCA §§ 68-201-115(c)(1)).

Also, TCA §§ 68-201-115(b)(6) limits the exemption to the language and areas of authority specifically stated in the exemption. Therefore, the Local Program for Hamilton County is requesting to be exempted from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following (add list of provisions for which the Local Program requests exemption):

1. Ambient air quality standards;
2. Open burning 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 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;

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, after adoption as local laws, listed below:

General Provisions;

Fossil-fuel fired steam generating units;

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;

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

Storage vessels for petroleum liquids construction 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;

Basic Oxygen Process Furnaces constructed after June 11, 1973, primary emissions;

Basic Oxygen Process Steelmaking Facilities constructed after January 20, 1983, secondary emissions;

Secondary brass and bronze ingot production plants;

Iron and steel plants;

Sewage treatment plants;

Phosphate fertilizer industry:

- Wet-process phosphoric acid plants,
- Super phosphoric acid plants,
- Diammonium phosphate plants,
- Triple superphosphate plants, and
- Triple superphosphate storage facilities;

Primary aluminum reduction plants;

Coal preparation plants;

Primary copper smelters;

Primary zinc smelters;

Primary lead smelters;

Steel plants: electric arc furnaces; 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 and label surface coating operations;

Magnetic tape coating facilities;

Equipment leaks of VOC in the synthetic organic chemical manufacturing industry;

Bulk gasoline terminals;

Synthetic fiber production facilities;

Volatile Organic Compound (VOC) Emissions from the polymer manufacturing industry;

Lead acid battery manufacturing plants;

Equipment leaks of VOC in petroleum refineries;

Flexible vinyl and urethane coating and printing;

Petroleum dry cleaners;

Phosphate rock plants;

Equipment leaks of VOC from onshore natural gas processing plants;

Electric arc furnaces constructed after October 21, 1974, and on or before August 17, 1983;

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;

Non-metallic mineral processing plants;

Onshore natural gas processing: SO₂ emissions;

Wool fiberglass insulation manufacturing plants;

Polymeric coating of supporting substrates facilities;

Rubber tire manufacturing industry;

Calciners and Dryers in mineral industries;

New Residential Wood Heaters;

Municipal Solid Waste Landfills; and

Hospital/Medical/Infectious Waste Incinerators.

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;
- 41. Regulation of odors related to emissions of air contaminants and regulation of nuisances related to emissions of air contaminants.

A. Demonstration of Enforcement Authority

- 1. Please provide the following data for enforcement activities occurring during the calendar year 2020 and to date in 2021:

Table 1. Enforcement Activities.

	CY 2020	CY 2021
Number of Notices of Violation	3	86 total Industrial: 5 Burning: 71 Asbestos: 10
Number of Warning Letters	Burning: 58 Industrial: 0	Burning: 81 Industrial: 2
Number of Orders for Corrective Action only	0	0
Number of Civil Penalty Assessments only	3	86
Number of Civil Penalty Assessments and Orders for Corrective Action (both in the same order)	0	0
Total Amount Assessed	Burning \$828	\$30,150 Burning: 17,050 Industrial: 7,800 Asbestos: 5,300
Total Amount Collected	\$828	\$20,450

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

67 (as of June 28, 2021)

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

19

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

0

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

10

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

No. The State regulates asbestos for both State-owned facilities and State activities.

B. Staffing and Regulatory Authority

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

Ronald Drumeller, Executive Director

(vacant) Executive Assistant

Amber Boles, Public Relations Coordinator

James O. Holloway, Operations Manager (Grants & Operations/ Budgets and Finance)

J. Alan Frazier, Engineering Manager

Robert Kalch, Professional Engineer Permitting and Inspections

Sydney Spencer, Engineer (EIT) Permitting and Inspections

Sara Lockhart, Engineer (EIT) Permitting and Inspections

Engineer (vacant)

John C. Schultz, Investigator/Asbestos Inspections & Permitting

Jo'an Corey, Administrative Support Specialist/Seasonal Burning Permits

Kathy Jones, Air Monitoring Manager

Steve Langston, Instrument Technician Air Monitoring

James Long, Instrument Technician Air Monitoring

Marcia Mulkey, Receptionist (temporary)

2. Number of budgeted positions?

15 budgeted positions and 1 frozen position

3. Number of vacant positions?

Three (3) vacant positions (Executive Assistant, Engineer 1, and Administrative Support Specialist 1).
Staff Attorney is vacant but funding for it is frozen.

4. What steps are being taken to fill vacant position(s)?

We plan to consult with the APC Board about a small reallocation of job responsibilities on a couple of positions/titles. Some positions are not needed at this time and some positions cannot be filled due to lack of funds.

5. Are there any expected staff cuts or expansions?

Not at this time.

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

Yes. They are notified via mail.

7. Are the air pollution control regulations for each jurisdiction in your county available online? If so, how current are these regulations? If not, why not?

A copy of the air pollution control regulations for each jurisdiction is available online, along with a reference table. It is current.

8. Do your local air pollution control provisions contain any land use or zoning requirements? If so, where, and how do you intend to address the requirements of TCA 68-201-115(f) and (g)? Please explain.

No

9. Are there any changes to the provisions that you've listed beginning on the first page that the local program is requesting authority to enforce as compared to the petition made in 2020? If so, what are the changes and why?

None at this time.

C. Local Agency Air Pollution Control Board

1. Please provide a current list of the local Air Pollution Control Board members and their term expiration dates.

Name

Term Expires

Steve Meyer (Chairman)	December 19, 2020
John Tucker, PH.D.	December 19, 2016*
Robert Howard (Secretary)	May 18, 2014*
Thom Carmichael	May 3, 2015*
Val Deolloqui	December 19, 2020
Kathleen Hunt, M.D.	May 20, 2019*
Dawn Ford, PH.D	Ex officio member – Health Dept.
Colleen Russell	December 19, 2020
D. Robert Lynch (Vice Chairman)	July 19, 2023

**Regulations provide that Board members continue to serve until replaced by the appropriate governmental entity.*

2. Is your Air Board or Commission fully staffed?

Yes.

- a. If there are vacancies, how long have they existed and when do you anticipate that they will be filled?

Not applicable. Regulations provide that Board members continue to serve until replaced by the appropriate governmental entity.

- b. How often does your Board meet?

As needed, with a minimum of two (2) meetings per year.

D. State Implementation Plan Revisions (Local Program)

1. Are there any EPA - requested SIP revisions that your county needs to undertake? Table 2, below, does not indicate that there is any local program action required for currently proposed SIP revisions (excluding the IM removal SIP revisions). If your county needs to undertake SIP revisions, what are they and when do you plan to submit those? Are there any other local SIP revisions in progress, if so, at what point are they in the process?

There are no further actions required by our agency. Revisions have been submitted by TNAPC and we are awaiting completion of the Federal promulgation.

- Are there any rule revisions or updates your Local Program needs to undertake to have all necessary rules needed as compared to those of the State? If so, what are they and what is the estimated timeframe for adoption?

No

- Please list the local rules/ordinances that have been adopted since the last Certificate of Exemption was granted (July 1, 2020). Also include any which were not incorporated into the State Implementation Plan (please denote these). Describe why each rule revision was undertaken.

None

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

Docket No.	Submittal No.	Staff Contact	Submittal Date	Statutory Due Date	Description	Comments
	TN 345	Brad/Joel	11/19/2016	5/19/2018	SSM SIP Call Response	SSM implications.
EPA-R04-OAR-2017-0626	TN 350	Steve/Twuzjaja	5/12/2017	11/12/2018	Sullivan County (Eastman) 2010 SO2 attainment demonstration	PR published 8/29/2018 (83 FR 30609). Comment period closed 7/30/18 and received adverse comments.
EPA-R04-OAR-2019-0156	TN-364	Evan	9/17/2018	3/17/2020	2015 8-hour Ozone NAAQS iSIP (Prong 1 & 2)	Original FR signed on 3/24/2020 but has not been published yet. It is pending regulatory review.
EPA-R04-OAR-2019-0535	TN-371	Michele	8/1/2019	2/1/2021	SO2 Infrastructure SIP (Prongs 1 and 2)	PR routing in signature chain.
EPA-R04-OAR-2019-0619	TN-372	Kelly	2/27/2020	8/27/2021	Hamilton Co. I/M Removal & 110(l)	Supplemental Proposal was published on 4/22/2021 (86 FR 21248). Comment period ends 5/24/2021.
EPA-R04-OAR-2019-0618	TN-373	Kelly	2/27/2020	8/27/2021	Middle TN I/M Removal & 110(l)	Supplemental Proposal was published on 4/22/2021 (86 FR 21248). Comment period ends 5/24/2021.
EPA-R04-OAR-2020-0221	TN-375	Sarah	1/24/2020	7/23/2021	Knoxville 1997 8-hour Ozone Limited Maintenance Plan	PR routing in signature chain.
EPA-R04-OAR-2020-0428	TN 376	Sarah	6/23/2020	12/23/2021	Montgomery 1997 8-hour Ozone Limited Maintenance Plan	PR routing in signature chain.
EPA-R04-OAR-2020-0482	TN 377	Evan	9/29/2020	3/29/2022	Sumner County 2010 SO2 NAAQS Unclassifiable Redesignation	PR published 3/5/2021 (86 FR 12892) and received no comments. FR routing in signature chain.
	TN 378	Sarah	3/23/2021	9/25/2022	Tennessee eNotice Provisions	
	TN 379	Pearlene	4/9/2021	10/9/2022	Appendix W Rule Revisions	

E. Permit Program Operation

- What sources are exempt from permit requirements?

Sources that are classified as insignificant activities, as listed in our Ordinance, are not required to obtain a permit. Further permitting is not required for fuel-burning equipment used exclusively for heating the dwellings of less than three families or equipment for burning gas or No. 1 or No. 2 fuel oil with a design heat input capacity of less than 5 MMBtu per hour. In addition, State-owned facilities are not subject to local permitting requirements after the, then, Tennessee Attorney General declared state sovereign immunity from local permitting requirements for these facilities.

2. What is the frequency of operating permit renewal?

Five (5) years for a renewal

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

Yes

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

Yes

5. Have/are you: a) recently changed, b) in the process of changing, or c) planning to change your fee system(s)? If so, please explain what those changes are/will be.

No recent changes.

6. Do you have any required or optional permitting mechanisms that are alternatives to standard construction and/or operating permits (e.g. permit-by-rule, general permits)? If so, please describe what these are and the types of sources they cover.

No

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

When a public hearing is requested, or when it is required (i.e. federally enforceable synthetic minors, PSD permits, Part 70 permits and renewals, and new sources or modifications).

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

Yes – if an application is controversial, a hearing would be held.

9. Is a public notice required for all construction permit applications? If not, which are exempt? If so, how is notice made to the public, and for how long?

Yes, notice is provided in a newspaper of general circulation and on our website for at least 30 days.

- Are draft permits available on your website for public comment before issuance of the permit? If yes, what is the time frame? If no, why not?

Yes, draft permits are available on the Bureau's website for at least 30 days.

F. Compliance Monitoring

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

Not at the present time.

- Explain the main enforcement problems, if any, in your county.

None at the present time.

- Does your agency have source testing capability?

No. We require source testing to be conducted by the facility using a third-party testing company at its own expense.

- Are source tests witnessed?

Yes.

- How many of the following sources are located in your county, and how frequently are they inspected (annually, every two years, etc.)?

Table 3. Sources and Inspection Frequency.

Source Type	Number of Sources	Frequency of Inspection
Title V sources:	10	annually
Conditional Major (synthetic minor):	69	annually
True Minor:	302	annually

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

Annual inspections and review of records. Semi-annual and annual compliance reporting.

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

One. Signal Mountain Cement Co. is currently required to have continuous in-stack monitors for emissions of total hydrocarbons and for emissions of mercury. They are also required to have a continuous in-stack parametric monitor for emissions of filterable particulate matter.

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

Signal Mountain Cement Co. is required to submit an excess emissions and continuous monitoring system performance report for any event when continuous monitoring system data indicates that the source is not in compliance with an applicable emission limitation or operating parameter limitation.

G. Ambient Air Monitoring

1. Does the current monitoring network address all major source impacts? For example, are there any required Lead or SO₂ monitoring requirements, or PSD monitoring requirements, and if so, are they being met?

The current monitoring network addresses all major source impacts. There are no required Lead, SO₂, or PSD monitoring requirements.

2. Specific to those types of source specific monitors considered in question 1, above, are all source-oriented monitoring sites identified as such in the current AMNP and in AQS?

There are no source-oriented monitoring sites.

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

Yes.

4. Is the most recent annual network review completed? Please include any comments or requested corrective actions provided by EPA upon their review and approval/partial approval of the most recent AMNP. If there were recommended

corrective actions by EPA, how, and by when do you plan to address those corrective actions?

Yes. The 2021 AMNP has not yet been reviewed by EPA. Any recommended corrective actions will be addressed as soon as the Bureau receives them.

5. Does your agency operate any Special Purpose Monitoring sites? If so, please describe.

We do not operate any Special Purpose Monitoring sites.

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

No deficiencies were in the most recent State audit.

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

TSA June 3-6, 2019

FIELD OPERATIONS

Concerns:

- (1) T640 Shelter Temp not monitored. Resolution: Purchased and installed an electronic thermometer in the shelter that is recorded by the data logger.
- (2) Flow rate required once a month separated by 14 days and no more than 30 days apart. Resolution: Flow rates performed on the requested schedule.

Observations:

- (1) Manuals, QAPP, and SOPs not stored at sites. Resolution: Manuals, QAPP, and SOPs stored at sites.
- (2) Spare instruments not tested in a routine manner. Resolution: Spare instruments are now tested in a routine manner.

RECORDS MANAGEMENT

Concern:

- (1) NIST traceable standards' names and ID numbers are not entered in log books. Resolution: NIST traceable standards' names and ID numbers are entered into log books.

Observation:

- (1) Improve documentation and transparency by completing reports on site, putting unique numbers on documents for identification, creating a form to complete for ozone audits, and dating initialed entries for corrections in log books. Resolution: All have been incorporated into the quality assurance program.

DATA MANAGEMENT

Finding:

- (1) Concentration gaps found in AQS. Resolution: Missing data was uploaded.

Observations:

- (1) Develop more specific Null Codes for the Bureau and use them consistently.
Resolution: The Bureau determined which Null Codes would be used and intends to use them the same way each time.
- (2) Complete metadata files in AQS. Resolution: Completed metadata files in AQS.

QUALITY ASSURANCE

Finding:

- (1) Flag data with a "6" that occurred when the QAPP was outdated. Resolution: Data was flagged with a "6" in AQS that was affected.

Concerns:

- (1) Update outdated SOPs. All SOPs were submitted by August 28, 2020. EPA requested revisions. The T640, Ozone, and Data Handling SOPs are now approved. The 2025 and 2025i SOPs will be resubmitted by July 31.

H. Air Quality Data Management Systems

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

Quarterly (within every 90 days)

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

Data is flagged and explained in AQS. An email or letter is sent to EPA informing EPA of the event, that the event is flagged in AQS, and if the flag will be informational or a formal request. If the event is a formal request for exclusion, a documentation package will follow.

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

Yes. There is a QAPP, QMP, and new SOPs.

4. Are all your QMPs and QAPPs current and approved by EPA? Please provide a copy of your current QMP and any QAPPs in use by your agency.

Yes

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

The QAPP expires Sept 14, 2023.

6. Who is the quality assurance coordinator?

Kathy Jones

7. What laboratory facilities are available? Please explain.

The Bureau contracts with Inter-Mountain Laboratories of Sheridan, Wyoming, for weighing of PM2.5 filters. The Bureau does not perform filter-based PM10 monitoring.

I. Continued Operation of Local Air Program

1. Are there any concerns regarding program administration, staffing or funds? Has your agency analyzed the impact of reduced emissions on Title V fee collections? If yes, are you anticipating a need to increase Title V fees in order satisfy Title V program funding requirements? Is there a schedule for revising your Title V fee structure to meet any funding needs; if so, what is it?

Not currently. We increased non-Title V and Title V fees in 2017/2018. We will be monitoring the current TAPCD process on increasing revenues.

2. Are there any concerns with your local program's ability to adequately enforce your provisions as required in TCA 68-201-115(b)(3)(B)?

No

3. Are there any air monitoring system equipment needs? If yes, what is your air monitoring equipment acquisition/replacement plan?

We do not have eminent air monitoring system equipment needs at this time.

4. Please list any recent Local Program accomplishment and highlights.

The Bureau has replaced three shelters- one with a deck in 2018 (4002), the other two (1011 and 4003) with new Shelter One shelters on February 26, 2021.

5. Are there any anticipated issues that might impede the Local Program's ability to continue to administer the Local Program during the next Certificate of Exemption (COE) cycle? If yes, please explain.

There are no anticipated issues.

6. Are there any impacts to your local air agency from Covid-19 that are, or are expected to, limit the ability of your agency in fulfilling its local program functions and requirements? If so, please describe below.

There are no impacts to the Bureau that are expected to limit the ability of the agency in fulfilling its local program functions and requirements.

J. Certification of Local Authority

Table 4. Crosswalk Between State and Local Rules.

**Crosswalk between the Rules of the
Tennessee Department of Environment and Conservation Air Pollution Control
Division and the Local Air Pollution Control Agency**

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-01</u>	General Provisions	Article 1	Declaration of policy and purpose; title
<u>1200-03-02</u>	Definitions	Sec 4-2	Definitions
<u>1200-03-03</u>	Ambient Air Quality Standards	Sec 4-41, Rule 21	Ambient Air Quality Standards
<u>1200-03-04</u>	Open Burning	Sec 4-41, Rule 6	Prohibition of Open Burning
<u>1200-03-05</u>	Visible Emission Regulations	Sec 4-41, Rule 3	Visible Emission Regulations
<u>1200-03-06</u>	Non-process Emission Standards	Sec 4-41, Rules 5, 8, and 26.6	Prohibition of Hand-Fired Fuel Burning Equipment Fuel Buring Equipment Regulations RACT – Fuel Burning Equipment
<u>1200-03-07</u>	Process Emission Standards	Sec 4-41, Rule 10	Process Emissions Regulations
<u>1200-03-08</u>	Fugitive Dust	Sec 4-41, Rule 11	Regulation of Transporting and Material Handling in Open Air
<u>1200-03-09</u>	Construction and Operating Permits	Sec 4-8 (a), (c), (e); Section 4-41, Rule 18	Installation Permit, Certificate of Operation, Construction or Modification Permit Prevention of Significant Air Quality Deterioration
<u>1200-03-10</u>	Required Sampling, Recording, and Reporting	Sections 4-3, 4-8a and 4-8(c)	Regulations cumulative; compliance with one provision no defense to noncompliance with another; sampling and testing methods Installation Permits Certificate of Operation
<u>1200-03-11</u>	Hazardous Air Contaminants	Section 4-41, Rules 16 and 17	Emission standards for hazardous air pollutants other than asbestos Emission standard for asbestos

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-12</u>	Methods of Sampling and Analysis	Section 4-3	Regulations cumulative; compliance with one provision no defense to noncompliance with another; sampling and testing methods
<u>1200-03-13</u>	Violation	Section 4-4	Penalties for violation of chapter, permit or order
<u>1200-03-14</u>	Control of Sulfur Dioxide Emission	Section 4-41, Rule 13	Regulation of Sulfur Oxides
<u>1200-03-15</u>	Emergency Episode Plan	Section 4-20	Emergencies
<u>1200-03-16</u>	New Source Performance Standards	Section 4-41, Rule 15	New Source Performance Standards
<u>1200-03-17</u>	Reserved	N/A	N/A
<u>1200-03-18</u>	Volatile Organic Compounds	Section 4-41, Rule 25	General Provisions and Applicability for Volatile Organic Compounds
<u>1200-03-19</u>	Emission Standards and Monitoring Requirements for Additional Control Areas	Section 4-41, Rules 26 and 27	Reasonably Available Control Technology (RACT) Particulate Matter Controls for New sources and New Modifications After August 29, 1995
<u>1200-03-20</u>	Limits on Emissions Due to Malfunction, Startups and Shutdowns	Section 4-12	Exceedances of Limitations on Emissions
<u>1200-03-21</u>	General Alternate Emission Standards	Section 4-13	Certification of Alternate Control
<u>1200-03-22</u>	Lead Emission Standards	Section 4-41, Rule 19	Regulation of Lead Emissions
<u>1200-03-23</u>	Visibility Protection	N/A	N/A
<u>1200-03-24</u>	Good Engineering Practice Stack Height Regulations	Section 4-41, Rule 22	Good Engineering Practice Stack Heights
<u>1200-03-25</u>	Standards for Infectious Waste Incinerators	N/A	N/A
<u>1200-03-26</u>	Administrative Fees Schedule	Sections 4-8, 4-9 and 4-60	Installation Permit and Certificate of Operation Charges for Technical Reports, Research, Computer Time Part 70 Fee Determination and Certification
<u>1200-03-27</u>	Nitrogen Oxides	Section 4-41, Rule 2	Regulation of Nitrogen Oxides
<u>1200-03-28</u>	Reserved	N/A	N/A
<u>1200-03-29</u>	Light-Duty Motor Vehicle Inspection and Maintenance	N/A	N/A
<u>1200-03-30</u>	Acidic Precipitation Control	N/A	N/A
<u>1200-03-31</u>	Case-By-Case Determinations of Hazardous Air Pollutant Control Requirements	Section 4-41, Rule 16.10(c) and (d)	Emission Standards for Hazardous Air Pollutants Other Than Asbestos
<u>1200-03-32</u>	Prevention of Accidental Releases	Section 4-41, Rule 4	Regulation of the Importation, Sale, Transportation, Use or Consumption of Certain Fuels

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-33</u>	Reserved	N/A	N/A
<u>1200-03-34</u>	Conformity	N/A	N/A
<u>1200-03-35</u>	Reserved	N/A	N/A
<u>1200-03-36</u>	Motor Vehicle Tampering	N/A	N/A
<u>1200-03-37</u>	Reserved	N/A	N/A
<u>400-30-17</u>	Conflict of Interest	Section 4-6 (a)(2)	Air Pollution Control Board
<u>400-30-38</u>	Emission Standards for Hazardous Air Pollutants	Section 4-41, Rule 16	Emissions Standards for Hazardous Air Pollutants other than Asbestos
<u>400-30-39</u>	Standards of Performance for New Stationary Sources	Section 4-41, Rule 15	New Source Performance Standards

I hereby certify in order to support a determination pursuant to Tenn. Code Ann. § 68-201-115(b)(3) for exemption from applicability within (list County and Municipalities):

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

that:

- 1) Based on information and belief formed after reasonable inquiry, that the enacted or adopted provisions of local law in effect within my jurisdiction, are not less stringent than corresponding state provisions of the Tennessee Air Quality Act (§ 68-201-101 et. seq.) and its implementing rules.

I further certify based on information and belief formed after reasonable inquiry that these local provisions will be adequately enforced.

Signature:  _____

Print Name: RON DRUMELLER

Title: EXECUTIVE DIRECTOR

Date: JULY 13, 2021