

35.0 REGULATION OF HAZARDOUS AIR CONTAMINANTS

35.1 General

No person shall cause, suffer, allow, or permit emission into the atmosphere of any material or from any operation listed in Section 35.2 in such a manner as to fail to comply with the applicable emission standards and permitting, testing, and reporting requirements established by the Environmental Protection Agency.

All emission standards, permitting requirements, testing requirements, and reporting requirements established by the Environmental Protection Agency shall be implemented at all applicable facilities upon receipt of delegation of enforcement authority by the Environmental Protection Agency.

35.2.1 Regulated Materials and Operations under 40 CFR 61

The materials and operations subject to this regulation are listed below.

- A. Reserved
- B. Radon Emissions from Underground Uranium Mines, as specified in 40 CFR 61, Subpart B, as amended by 54 FR 51694 (December 15, 1989), as adopted by Knox County on January 11, 1995.
- C. Beryllium, as specified in 40 CFR 61, Subpart C, as amended, as adopted October 9, 1991.
- D. Beryllium Rocket Motor Firing, as specified in 40 CFR 61, Subpart D, as amended, as adopted October 9, 1991.
- E. Mercury, as specified in 40 CFR 61, Subpart E, as amended, as adopted October 9, 1991.
- F. Vinyl Chloride, as specified in 40 CFR 61, Subpart F, as amended, as adopted October 9, 1991.
- G. Equipment Leaks of Volatile Hazardous Air Pollutants as specified in 40 CFR 61, Subpart V, as amended, as adopted October 9, 1991.
- H. Radionuclide Emissions Other Than Radon from D.O.E. Facilities, as specified in 40 CFR 61, Subpart H, as amended by 54 FR 51695 (December 15, 1989) as adopted by Knox County on January 11, 1995.

- I. Radionuclide Emissions from Facilities Licensed by the NRC (and Federal Facilities not Covered by Subpart H), as specified in 40 CFR 61, Subpart I, as amended by FR 51697 (December 15, 1989) as adopted by Knox County on January 11, 1995.
- J. Equipment Leaks (Fugitive Emission Sources) of Benzene, as specified in 40 CFR 61, Subpart J, as amended, as adopted July 10, 1985.
- K. Radionuclide Emissions from Elemental Phosphorous Plants, as specified in 40 CFR 61, Subpart K, as amended by 54 FR 51699 (December 15, 1989), as adopted by Knox County on January 11, 1995.
- L. Benzene Emissions from Coke By-Products Recovery Plants, as specified in 40 CFR 61, Subpart L, as amended, as adopted January 8, 1992.
- M. Asbestos, as specified in 40 CFR 61, Subpart M, as amended, as adopted October 9, 1991.
- N. Inorganic Arsenic Emissions from Glass Manufacturing Plants, as specified in 40 CFR 61, Subpart N, as amended, as adopted January 14, 1987.
- O. Inorganic Arsenic Emissions from Primary Copper Smelters, as specified in 40 CFR 61, Subpart O, as amended, as adopted January 14, 1987.
- P. Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities, as specified in 40 CFR 61, Subpart P, as amended, as adopted January 14, 1987.
- Q. Radon Emissions from D.O.E. Facilities, as specified in 40 CFR 61, Subpart Q, as amended by 54 CFR 51701 (December 15, 1989), as adopted by Knox County on January 11, 1995.
- R. Radon Emissions from Phosphogypsum Stacks, as specified in 40 CFR 61, Subpart R, as amended by 57 FR 23317 (June 3, 1992), as adopted by Knox County on January 11, 1995.
- S. Reserved
- T. Radon Emissions from the Disposal of Uranium Mill Tailings, as specified in 40 CFR 61, Subpart T, as amended by 59 FR 36280 (July 15, 1994), as adopted by Knox County on January 11, 1995.
- U. Reserved

- V. Equipment Leaks of Volatile Hazardous Air Pollutants as specified in 40 CFR 61, Subpart V, as amended, as adopted October 9, 1991.
- W. Radon Emissions from Operating Mill Tailings, as specified in 40 CFR 61, Subpart W, as amended by 54 FR 51703 (December 15, 1989), as adopted by Knox County on January 11, 1995.
- X. Reserved
- Y. Benzene Storage Vessels, as specified in 40 CFR 61, Subpart Y, as amended, as adopted January 10, 1990.
- Z. Reserved
- AA. Reserved
- BB. Benzene Emissions from Benzene Transfer Operations, as specified in 40 CFR 61, Subpart BB, as amended, as adopted April 19, 1990.
- CC. Reserved
- DD. Reserved
- EE. Reserved
- FF. Benzene Emissions from Benzene Waste Operations, as specified in 40 CFR 61, Subpart FF, as amended by 58 Federal Register 3072 (January 7, 1993), as adopted April 29, 1993, excluding 61.353, Alternative Means of Emission Limitation.

35.2.2 Regulated Materials and Operations under 40 CFR 63

- A. Reserved
- B. Hazardous Air Pollutants: Regulations Governing Constructed or Reconstructed Major Sources, as specified in 40 CFR 63, Subpart B, as amended by 61 FR 68384 (December 27, 1996), as adopted by Knox County on July 9, 1997.
- C. Reserved
- D. Reserved
- E. Reserved
- F. National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry, as specified in 40 CFR 63,

Subpart F, as amended by 63 FR 26078 (May 12, 1998), as adopted by Knox County on August 26, 1998.

- G. Organic Hazardous Air Pollutant Emissions from the Synthetic Organic Chemical Manufacturing Industry and Other Processes, as specified in 40 CFR 63, Subpart G, as amended by 63 FR 26078 (May 12, 1998), as adopted by Knox County on August 26, 1998.
- H. National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks, as specified in 40 CFR 63, Subpart H, as amended by 63 FR 26078 (May 12, 1998), as adopted by Knox County on August 26, 1998.
- I. National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks, as specified in 40 CFR 63, Subpart I, as amended by 62 FR 2722 (January 12, 1997), as adopted by Knox County on July 9, 1997.
- J. National Emission Standards for Air Pollutants for Polyvinyl Chloride and Copolymers Production, as specified in 40 CFR 63, Subpart J, as amended, as adopted by Knox County on October 9, 2002.
- K. Reserved
- L. Coke Oven Batteries, as specified in 40 CFR 63, Subpart L, as amended by 59 FR 1992 (January 13, 1994), as adopted by Knox County on January 11, 1995.
- M. Perchloroethylene Emissions from Dry Cleaning Facilities, as specified in 40 CFR 63, Subpart M, as amended by 58 FR 66287, as adopted by Knox County on January 11, 1995.
- N. Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, as specified in 40 CFR 63, Subpart N, as amended by 60 FR 33122 (June 27, 1995), as adopted by Knox County on October 9, 1996.
- O. Ethylene Oxide Emissions from Commercial Sterilization and Fumigation Operations, as specified in 40 CFR 63, Subpart O, as amended by 59 FR 62585 (December 6, 1994), as adopted by Knox County on July 12, 1995.
- P. Reserved
- Q. Chromium Emissions from Industrial Process Cooling Towers, as specified in 40 CFR 63, Subpart Q, as amended by 59 FR 46350 (July 29, 1994), as adopted by Knox County on January 11, 1995.

- R. Hazardous Air Pollutant Emissions from Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations), as specified in 40 CFR 63, Subpart R, as amended by 62 FR 9087 (February 28, 1997), as adopted by Knox County on July 9, 1997.
- S. Paper Production Facilities, and specified in 40 CFR 63, Subpart S, as promulgated by 63 FR 18504 (April 15, 1998), as adopted by Knox County October 13, 1999.
- T. Hazardous Air Pollutant Emissions from Halogenated Solvent Cleaning, as specified in 40 CFR 63, Subpart T, as amended by 60 CFR 29484 (June 5, 1995), as adopted by Knox County on October 9, 1996.
- U. Hazardous Air Pollutant Emissions from Group I Polymers and Resins, as specified in 40 CFR 63, Subpart U, as amended by 61 FR 46906 (September 5, 1996), as adopted by Knox County on July 9, 1997.
- V. Reserved
- W. Hazardous Air Pollutant Emissions from Epoxy Resins and Non-nylon Polyamide Production, as specified in 40 CFR 63, Subpart W, as amended by 60 FR (March 8, 1995), as adopted by Knox County on July 12, 1995.
- X. Hazardous Air Pollutant Emissions from Secondary Lead Smelting, as specified in 40 CFR 63, Subpart X, as amended by 62 FR 32266 (June 13, 1997), as adopted by Knox County on April 8, 1998.
- Y. Hazardous Air Pollutant Emissions from Marine Tank Vessel Loading Operations, as specified in 40 CFR 63, Subpart Y, as amended by 60 FR 48388 (September 19, 1995), as adopted by Knox County on October 9, 1996.
- Z. Reserved
- AA. National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants, as specified in 40 CFR 63, Subpart AA, as amended, as adopted by Knox County on October 11, 2000.
- BB. National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants, as specified in 40 CFR 63, Subpart BB, as amended as adopted by Knox County October 11, 2000.
- CC. Hazardous Air Pollutant Emissions from Petroleum Refineries, as specified in 40 CFR 63, Subpart CC, as amended by 63 FR 31358 (June 9, 1998), as adopted by Knox County on October 14, 1998.

- DD. National Emission Standards for Hazardous Air Pollutant Emissions from Off-Site Waste and Recovery Operations, as specified in 40 CFR 63, Subpart DD, as amended by 61 FR 34158 (July 1, 1996), as adopted by Knox County on April 8, 1998.
- EE. Hazardous Air Pollutant Emissions from Magnetic Tape Manufacturing Operations, as specified in 40 CFR 63, Subpart EE, as amended by 59 FR 64580 (December 15, 1994), as adopted by Knox County on July 12, 1995.
- FF. Reserved
- GG. Hazardous Air Pollutant Emissions from Aerospace Manufacturing and Rework Facilities, as specified in 40 CFR 63, Subpart GG, as amended by 63 FR 17930 (April 10, 1998), as adopted by Knox County on August 26, 1998.
- HH. National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities, as specified in 40 CFR 63, Subpart HH, as amended, as adopted by Knox County on October 11, 2000.
- II. National Emission Standards for Hazardous Air Pollutants from the Shipbuilding and Ship Repair (Surface Coating) Operations, as specified in 40 CFR 63, Subpart II, as amended by 61 FR 66226 (December 17, 1996), as adopted by Knox County on July 9, 1997.
- JJ. Hazardous Air Pollutant Emissions from Wood Furniture Manufacturing Operations, as specified in 40 CFR 63, Subpart JJ, as amended by 60 FR 62930 (December 7, 1995), as adopted by Knox County on October 9, 1996.
- KK. National Emission Standards for Hazardous Air Pollutants from the Printing and Publishing Industry, as specified in 40 CFR 63, Subpart KK, as amended by 61 DR 27132 (May 30, 1996), as adopted by Knox County on April 9, 1997.
- LL. 40 CFR 63, Subpart LL- National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Production Plants, as amended by 62 FR 52407, as adopted by Knox County on January 12, 2000.
- MM. National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-chemical Pulp Mills, as specified in 40 CFR 63, Subpart MM, as amended, as adopted by Knox County on January 9, 2002.
- NN. National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources, as specified in 40CFR63, Subpart NN, as amended, as adopted by Knox County on October 21, 2015.

- OO. National Emission Standards for Hazardous Air Pollutant Emissions for Tanks-Level 1, as specified in 40 CFR 63, Subpart OO, as amended by 61 FR 34184 (July 1, 1996), as adopted by Knox County on April 8, 1998.
- PP. National Emission Standards for Containers, as specified in 40 CFR 63, Subpart PP, as amended by 61 FR 34186 (July 1, 1996), as adopted by Knox County on April 8, 1998.
- QQ. National Emission Standards for Surface Impoundments, as specified in 40 CFR 63, Subpart QQ, as amended by 61 FR 34190 (July 1, 1996), as adopted by Knox County on April 8, 1998.
- RR. National Emission Standards for Individual Drain Systems, as specified in 40 CFR 63, Subpart RR, as amended by 61 FR 34193 (July 1, 1996), as adopted by Knox County on April 8, 1998.
- SS. National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices, and Routing to a Fuel Gas System or a Process, as specified in 40 CFR 63, Subpart SS, as amended, as adopted by Knox County on October 11, 2000.
- TT. National Emission Standards for Equipment Leaks-Control Level 1, as specified in 40 CFR 63, Subpart TT, as amended, as adopted by Knox County on October 11, 2000.
- UU. National Emission Standards for Equipment Leaks-Control Level 2 Standards, as specified in 40 CFR 63, Subpart UU, as amended, as adopted by Knox County on October 11, 2000.
- VV. 40 CFR 63, Subpart VV-National Emission Standards for Oil-Water Separators and Organic-Water Separators, as amended by 61 FR 34195, as adopted by Knox County on January 12, 2000.
- WW. National Emission Standards for Storage Vessels (Tanks)-Control Level 2, as specified in 40 CFR 63, Subpart WW, as amended, as adopted by Knox County on October 11, 2000.
- XX. National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations, as specified in 40 CFR 63, Subpart XX, as amended, as adopted by Knox County on July 18, 2007.
- YY. National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards, as specified in 40 CFR 63, Subpart YY, as amended, as adopted by Knox County on October 11, 2000.

- ZZ. Reserved
- AAA. Reserved
- BBB. Reserved
- CCC. Hazardous Air Pollutant Emissions from Steel Pickling-HCL Process, as specified in 40 CFR 63, Subpart CCC, as promulgated by 64 FR 33202 (June 22, 1999), as adopted by Knox County on October 13, 1999.
- DDD. National Emission Standards for Hazardous Air Pollutants from Mineral Wool Production, as specified in 40 CFR 63, Subpart DDD, as amended, as adopted by Knox County on October 11, 2000.
- EEE. 40 CFR 63, Subpart EEE-National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, as amended by 63 FR 33820, as adopted by Knox County on January 12, 2000.
- FFF. Reserved
- GGG. Hazardous Air Pollutant Emissions from Pharmaceuticals Production, as specified in 40 CFR 63, Subpart GGG, as promulgated by 63 FR 50280 (September 21, 1998), as adopted by Knox County on October 13, 1999.
- HHH. Hazardous Air Pollutant Emissions from Natural Gas Transmission and Storage, as specified in 40 CFR 63, Subpart HHH, as promulgated by 64 FR 32609 (June 17, 1999), as adopted by Knox County on October 13, 1999.
- III. Hazardous Air Pollutant Emissions from Flexible Polyurethane Foam Production, as specified in 40 CFR 63, Subpart III, as promulgated by 64 FR 53980 (October 13, 1998), as adopted by Knox County on October 13, 1999.
- JJJ. Hazardous Air Pollutant Emissions from Group IV Polymers and Resins, as specified in 40 CFR 63, Subpart JJJ, as amended by 63 FR 9944 (February 27, 1998), as adopted by Knox County on August 26, 1998.
- KKK. Reserved
- LLL. Hazardous Air Pollutant Emissions from Portland Cement Manufacturing, as specified in 40 CFR 63, Subpart LLL, as promulgated by 63 FR 31898 (June 14, 1999), as adopted by Knox County on October 13, 1999.
- MMM. Hazardous Air Pollutant Emissions from Pesticide Active Ingredient Production, as specified in 40 CFR 63, Subpart MMM, as promulgated by 64 FR 3549 (June 23, 1999), as adopted by Knox County on October 13, 1999.

- NNN. Hazardous Air Pollutant Emissions from Wool Fiberglass Manufacturing, as specified in 40 CFR 63, Subpart NNN, as promulgated by 64 FR 31695 (June 14, 1999), as adopted by Knox County on October 13, 1999.
- OOO. National Emissions Standards for Hazardous Air Pollutants: Manufacture of Amino/Phenolic Resins, as specified in 40 CFR 63, Subpart OOO, as amended, as adopted by Knox County on July 11, 2001.
- PPP. Air Pollutant Emissions from Polyether Polyols Production, as specified in 40 CFR 63, Subpart PPP, as promulgated by 64 FR 29419 (June 1, 1999), as adopted by Knox County on October 13, 1999.
- QQQ. National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting, as specified in 40 CFR 63, Subpart QQQ, as amended, as adopted by Knox County on October 9, 2002.
- RRR. National Emissions Standards for Hazardous Air Pollutants: Secondary Aluminum Production, as specified in 40 CFR 63, Subpart RRR, as amended, as adopted by Knox County on July 11, 2001.
- SSS. Reserved
- TTT. Hazardous Air Pollutant Emissions from Primary Lead Smelting, as specified in 40 CFR 63, Subpart TTT, as promulgated by 64 FR 30194 (June 4, 1999), as adopted by Knox County on October 13, 1999.
- UUU. National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units, as specified in 40 CFR 63, Subpart UUU, as amended, as adopted by Knox County on October 9, 2002.
- VVV. National Emissions Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works, as specified in 40 CFR 63, Subpart VVV, as amended, as adopted by Knox County on July 11, 2001.
- WWW. Reserved
- XXX. National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese, as specified in 40 CFR 63, Subpart XXX, as amended, as adopted by Knox County on October 11, 2000.
- YYY. Reserved
- ZZZ. Reserved

- AAAA. National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, as specified in 40 CFR 63, Subpart AAAA, as amended, as adopted by Knox County on April 9, 2003.
- BBBB. Reserved
- CCCC. National Emission Standard for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast, as specified in 40 CFR 63, Subpart CCCC, as amended, as adopted by Knox County on October 9, 2002.
- DDDD. National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products, as specified in 40 CFR 63, Subpart DDDD, as amended, as adopted by Knox County on January 12, 2005.
- EEEE. National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline), as specified in 40 CFR 63, Subpart EEEE, as amended, as adopted by Knox County on April 14, 2004.
- FFFF. National Emission Standards for Hazardous Air Pollutants: Miscellaneous Chemical Manufacturing, as specified in 40 CFR 63, Subpart FFFF, as amended, as adopted by Knox County on April 14, 2004.
- GGGG. National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production, as specified in 40 CFR 63, Subpart GGGG, as amended, as adopted by Knox County on October 9, 2002.
- HHHH. National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production, as specified in 40 CFR 63, Subpart HHHH, as amended, as adopted by Knox County on October 9, 2002.
- III. National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks, as specified in 40 CFR 63, Subpart III, as amended, as adopted by Knox County on July 21, 2004.
- JJJJ. National Emission Standards for Hazardous Air Pollutants: Paper and Web Coating, as specified in 40 CFR 63, Subpart JJJJ, as amended, as adopted by Knox County on April 9, 2003.
- KKKK. National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans, as specified in 40 CFR 63, Subpart KKKK, as amended, as adopted by Knox County on January 14, 2004.
- LLLL. Reserved

- MMMM. National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products, as specified in 40 CFR 63, Subpart MMMM, as amended, as adopted by Knox County on April 14, 2004.

- NNNN. National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances, as specified in 40 CFR 63, Subpart NNNN, as amended, as adopted by Knox County on October 9, 2002.

- OOOO. National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles, as specified in 40 CFR 63, Subpart OOOO, as amended, as adopted by Knox County on July 16, 2003.

- PPPP. National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products, as specified in 40 CFR 63, Subpart PPPP, as amended, as adopted by Knox County on July 18, 2007.

- QQQQ. National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products, as specified in 40 CFR 63, Subpart QQQQ, as amended, as adopted by Knox County on October 8, 2003.

- RRRR. National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture, as specified in 40 CFR 63, Subpart RRRR, as amended, as adopted by Knox County on July 16, 2003.

- SSSS. National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil, as specified in 40 CFR 63, Subpart SSSS, as amended, as adopted by Knox County on October 9, 2002.

- TTTT. National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations, as specified in 40 CFR 63, Subpart TTTT, as amended, as adopted by Knox County on October 9, 2002.

- UUUU. National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing, as specified in 40 CFR 63, Subpart UUUU, as amended, as adopted by Knox County on October 9, 2002.

- VVVV. National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing, as specified in 40 CFR 63, Subpart VVVV, as amended, as adopted by Knox County on October 10, 2001.

- WWWW. National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, as specified in 40 CFR 63, Subpart WWWW, as amended, as adopted by Knox County on July 16, 2003.

- XXXX. National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing, as specified in 40 CFR 63, Subpart XXXX, as amended, as adopted by Knox County on October 9, 2002.

- YYYY. National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, as specified in 40 CFR 63, Subpart YYYY, as amended, as adopted by Knox County on April 14, 2004.

- ZZZZ. National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, as specified in 40 CFR 63, Subpart ZZZZ, as amended, as adopted by Knox County on July 21, 2004.

- AAAAA. National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants, as specified in 40 CFR 63, Subpart AAAAA, as amended, as adopted by Knox County on April 14, 2004.

- BBBBB. National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing, as specified in 40 CFR 63, Subpart BBBBB, as amended, as adopted by Knox County on July 16, 2003.

- CCCCC. National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, as specified in 40 CFR 63, Subpart CCCCC, as amended, as adopted by Knox County on July 18, 2007.

- DDDDD. National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters, as specified in 40 CFR 63, Subpart DDDDD, as amended, as adopted by Knox County on January 12, 2005.

- EEEEE. National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries, as specified in 40 CFR 63, Subpart EEEEE, as amended, as adopted by Knox County on July 21, 2004.

- FFFFF. National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities, as specified in 40 CFR 63, Subpart FFFFF, as amended, as adopted by Knox County on July 16, 2003.

- GGGGG. National Emission Standards for Hazardous Air Pollutants: Site Remediation, as specified in 40 CFR 63, Subpart GGGGG, as amended, as adopted by Knox County on January 14, 2004.

- HHHHH. National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing, as specified in 40 CFR 63, Subpart HHHHH, as amended, as adopted by Knox County on April 14, 2004.

- IIII. National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants, as specified in 40 CFR 63, Subpart IIII, as amended, as adopted by Knox County on April 14, 2004.
- JJJJ. National Emission Standard for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing, as specified in 40 CFR 63, Subpart JJJJ, as amended, as adopted by Knox County on July 16, 2003.
- KKKK. National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing, as specified in 40 CFR 63, Subpart KKKK, as amended, as adopted by Knox County on July 16, 2003.
- LLLL. National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing, as specified in 40 CFR 63, Subpart LLLL, as amended, as adopted by Knox County on July 16, 2003.
- MMMM. National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations, as specified in 40 CFR 63, Subpart MMMM, as amended, as adopted by Knox County on July 16, 2003.
- NNNN. National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production, as specified in 40 CFR 63, Subpart NNNN, as amended, as adopted by Knox County on July 18, 2007.
- OOOO. Reserved
- PPPP. National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands, as specified in 40 CFR 63, Subpart PPPP, as amended, as adopted by Knox County on July 16, 2003.
- QQQQ. National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities, as specified in 40 CFR 63, Subpart QQQQ, as amended, as adopted by Knox County on April 9, 2003.
- RRRR. National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing, as specified in 40 CFR 63, Subpart RRRR, as amended, as adopted by Knox County on January 14, 2004.
- SSSS. National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing, as specified in 40 CFR 63, Subpart SSSS, as amended, as adopted by Knox County on July 16, 2003.
- TTTT. National Emission Standards for Hazardous Air Pollutants: Primary Magnesium Refining, as specified in 40 CFR 63, Subpart TTTT, as amended, as adopted by Knox County on January 14, 2004.

UUUUU. Reserved

VVVVV. Reserved

WWWWW. National Emission Standards for Hospital Ethylene Oxide Sterilizers, as Specified in 40 CFR 63, Subpart WWWWW, as amended, as adopted by Knox County on April 16, 2008.

XXXXX. Reserved

YYYYY. National Emission Standards for Hazardous Air Pollutants for Area Sources Electric Arc Furnace Steelmaking Facilities, as specified in 40 CFR 63, Subpart YYYYY, as amended, as adopted by Knox County on April 16, 2008.

ZZZZZ. National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources, as specified in 40 CFR 63, Subpart ZZZZZ, as amended, as adopted by Knox County on April 16, 2008.

AAAAA.Reserved

BBBBB. National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, as specified in 40 CFR 63, Subpart BBBBB, as amended, as adopted by Knox County on April 16, 2008.

CCCCC. National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, as specified in 40 CFR, Subpart CCCCC, as amended, as adopted by Knox County on April 16, 2008.

DDDDD. National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources, as specified in 40 CFR 63, Subpart DDDDD, as amended, as adopted by Knox County on July 18, 2007.

EEEEEE. National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources, as specified in 40 CFR 63, Subpart EEEEE, as amended, as adopted by Knox County on July 18, 2007.

FFFFFF. National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources, as specified in 40 CFR 63, Subpart FFFFF, as amended, as adopted by Knox County on July 18, 2007.

- GGGGGG. National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources-Zinc, Cadmium, and Beryllium, as specified in 40 CFR 63, subpart GGGGGG, as amended, as adopted by Knox county on July 18, 2007.
- HHHHHH. National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources, as specified in 40 CFR 63, Subpart 63, Subpart HHHHHH, as amended, as adopted by Knox County on April 16, 2008.
- IIIII. Reserved.
- JJJJJJ. National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional, and Industrial Boilers Area Sources, as specified in 40 CFR 63, Subpart JJJJJJ, as amended, as adopted by Knox County on April 20, 2011.
- KKKKKK. Reserved.
- LLLLLL. National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources, as specified in 40 CFR 63, Subpart LLLLLL, as amended, as adopted by Knox County on October 17, 2007.
- MMMMMM. National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources, as specified in 40 CFR 63, Subpart MMMMMM, as amended, as adopted by Knox County on October 17, 2007.
- NNNNNN. National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds, as specified in 40 CFR 63, Subpart NNNNNN, as amended, as adopted by Knox County on October 17, 2007.
- OOOOOO. National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources, as specified in 40 CFR 63, Subpart OOOOOO, as amended, as adopted by Knox County on October 17, 2007.
- PPPPPP. National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources, as specified in 40 CFR 63, Subpart PPPPPP, as amended, as adopted by Knox County on October 17, 2007.
- QQQQQQ. National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources, as specified in 40 CFR 63, Subpart QQQQQQ, as amended, as adopted by Knox County on October 17, 2007.

- RRRRRR. National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources, as specified in 40 CFR 63, Subpart RRRRRR, as amended, as adopted by Knox County on April 16, 2008.
- SSSSSS. National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources, as specified in 40 CFR 63, Subpart SSSSSS, as amended, as adopted by Knox County on April 16, 2008.
- TTTTTT. National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources, as specified in 40 CFR 63, Subpart TTTTTT, as amended, as adopted by Knox County on April 16, 2008.
- UUUUUU. Reserved
- VVVVVV. National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources, as specified in 40 CFR 63, Subpart VVVVVV, as amended, as adopted by Knox County on January 20, 2010.
- WWWWWW. National Emission Standards for Hazardous Air Pollutants: Area Source Standards for the Plating and Polishing Operations, as specified in 40 CFR 63, Subpart WWWWWW, as amended, as adopted by Knox County on October 15, 2008.
- XXXXXX. National Emission Standards for Hazardous Air Pollutants Area Source Standards for 9 Metal Fabrication and Finishing Source Categories, as specified in 40 CFR 63, Subpart XXXXXX, as amended, as adopted by Knox county on October 15, 2008.
- YYYYYY. National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities, as specified in 40 CFR 63, Subpart YYYYYY, as amended, as adopted by Knox County on January 21, 2009.
- ZZZZZZ. National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Non-Ferrous Foundries, as specified in 40 CFR 63, Subpart ZZZZZZ, as amended, as adopted by Knox County on January 20, 2010.
- AAAAAAA. National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing, as specified in 40 CFR, Subpart AAAAAA, as amended, as adopted by Knox County on January 20, 2010.
- BBBBBBB. National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry, as specified in 40 CFR 63, Subpart BBBBBB, as amended, as adopted by Knox County on April 21, 2010.

CCCCCCC. National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing, as specified in 40 CFR 63, Subpart CCCCCC, as amended, as adopted by Knox County on January 20, 2010.

DDDDDDD. National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing, as specified in 40 CFR 63, Subpart DDDDDDD, as amended, as adopted by Knox County on April 21, 2010.

EEEEEEE. National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Sources, as specified in 40 CFR 63, Subpart EEEEEEE, as amended, as adopted by Knox County on April 20, 2011.

FFFFFFF. Reserved

GGGGGGG. Reserved

HHHHHHH. National Emission Standards for the Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production, as specified in 40 CFR 63, Subpart HHHHHHH, as amended, as adopted by Knox County on April 18, 2012.

35.3 Case By Case Determinations of Hazardous Air Pollutant Control Requirements.

A. Definitions

All terms defined in this section apply only to the provisions of this section.

1. "Major Source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, considering controls in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year of any combination of hazardous air pollutants. The Administrator of the United States Environmental Protection Agency (US EPA) may establish a lesser quantity, or in the case of radionuclides different criteria, for a major source than that specified in the previous sentence, on the basis of the potency of the air pollutant, persistence, potential for bio-accumulation, other characteristics of the air pollutant, or other relevant factors.
2. "Area Source" means any stationary source of hazardous air pollutants that is not a major source. Mobile sources such as vehicles, trains, planes, ships, etc., are not area sources.

3. "New Source" means a stationary source that emits hazardous air pollutants as they are described in this paragraph and is constructed or re-constructed on or after the date that the US EPA approves the major source operating permit program submitted by the State of Tennessee in accordance with Section 502(d) of the federal Clean Air Act (42 USC Section 7401 et seq.).
4. "Stationary Source" shall have the meaning given to it in 13.53.
5. "Existing Source" is any stationary source that emits hazardous air pollutants as they are defined in this paragraph and this is not a new source.
6. "Hazardous Air Pollutant" means any one or combination of the following air contaminants:

<u>CAS Number</u>	<u>Chemical Name</u>
75-07-0	Acetaldehyde
60-35-5	Acetamide
75-05-8	Acetonitrile
98-86-2	Acetophenone
53-96-3	2-Acetylaminofluorene
107-02-8	Acrolein
79-06-1	Acrylamide
79-10-7	Acrylic acid
107-13-1	Acrylonitrile
107-05-1	Allyl chloride
92-67-1	4-Aminobiphenyl
62-53-3	Aniline
90-04-0	o-Anisidine
1332-21-4	Asbestos
71-43-2	Benzene(including benzene from gasoline)
92-87-5	Benzidine
98-07-7	Benzotrichloride
100-44-7	Benzyl chloride
92-52-4	Biphenyl
117-81-7	Bis(2-ethylhexyl)phthalate (DEHP)
542-88-1	Bis(chloromethyl) ether
75-25-2	Bromoform
106-99-0	1,3-Butadiene
156-62-7	Calcium cyanamide
133-06-2	Captan
63-25-2	Carbaryl
75-15-0	Carbon disulfide
56-23-5	Carbon tetrachloride
463-58-1	Carbonyl sulfide

120-80-9	Catechol
133-90-4	Chloramben
57-74-9	Chlordane
7782-50-5	Chlorine
79-11-8	Chloroacetic acid
532-27-4	2-Chloroacetophenone
108-90-7	Chlorobenzene
510-15-6	Chlorobenzilate
67-66-3	Chloroform
107-30-2	Chloromethyl methyl ether
126-99-8	Chloroprene
1319-77-3	Cresol/Cresylic acid (mixed isomers)
95-48-7	o-Cresol
108-39-4	m-Cresol
106-44-5	p-Cresol
98-82-8	Cumene
N/A	2,4-D (2,4-Dichlorophenoxyacetic Acid) (including salts and esters)
72-55-9	DDE(1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene)
334-88-3	Diazomethane
132-64-9	Dibenzofuran
96-12-8	1,2-Dibromo-3-chloropropane
84-74-2	Dibutyl phthalate
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
111-44-4	Dichloroethyl ether (Bis[2-chloroethyl]ether)
542-75-6	1,3-Dichloropropene
62-73-7	Dichlorvos
111-42-2	Diethanolamine
64-67-5	Diethyl sulfate
119-90-4	3,3'-Dimethoxybenzidine
60-11-7	4-Dimethylaminoazobenzene
121-69-7	N,N-Dimethylaniline
119-93-7	3,3'-Dimethylbenzidine
79-44-7	Dimethylcarbamoyl chloride
68-12-2	N,N-Dimethylformamide
57-14-7	1,1-Dimethylhydrazine
131-11-3	Dimethyl phthalate
77-78-1	Dimethyl sulfate
N/A	4,6-Dinitro-o-cresol (including salts)
51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
123-91-1	1,4-Dioxane (1,4-Diethyleneoxide)
122-66-7	1,2-Diphenylhydrazine
106-89-6	Epichlorohydrin(1-Chloro-2,3-epoxypropane)

106-88-7	1,2-Epoxybutane
140-88-5	Ethyl acrylate
100-41-4	Ethylbenzene
51-79-6	Ethyl carbamate (Urethane)
75-00-3	Ethyl chloride (Chloroethane)
106-93-4	Ethylene dibromide (Dibromoethane)
107-06-2	Ethylene dichloride (1,2-Dichloroethane)
107-21-1	Ethylene glycol
151-56-4	Ethyleneimine (Aziridine)
75-21-8	Ethylene Oxide
96-45-7	Ethylene thiourea
75-34-3	Ethylidene dichloride (1,1-Dichloroethane)
50-00-0	Formaldehyde
76-44-8	Heptachlor
118-74-1	Hexachlorobenzene
87-68-3	Hexachlorobutadiene
N/A	1,2,3,4,5,6-Hexachlorocyclohexane (all stereo isomers, including lindane)
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
822-06-0	Hexa methylene diisocyanate
680-31-9	Hexamethylphosphoramide
110-54-3	Hexane
302-01-2	Hydrazine
7647-01-0	Hydrochloric acid (Hydrogen chloride [gas only])
7664-39-3	Hydrogen fluoride (Hydrofluoric acid)
123-31-9	Hydroquinone
78-59-1	Isophorone
108-31-6	Maelic anhydride
67-56-1	Methanol
72-43-5	Methoxychlor
74-83-9	Methyl bromide (Bromomethane)
74-87-3	Methyl chloride (Chloromethane)
71-55-6	Methyl chloroform (1,1,1-Trichloroethane)
60-34-4	Methylhydrazine
74-88-4	Methyl iodide (Iodomethane)
108-10-1	Methyl isobutyl ketone (Hexone)
624-83-9	Methyl isocyanate
80-62-6	Methyl methacrylate
1634-04-4	Methyl tert-butyl ether
101-14-4	4,4'-Methylenebis(2-chloroaniline)
75-09-2	Methylene chloride (Dichloromethane)
101-68-8	4,4'-Methylenediphenyl diisocyanate (MDI)
101-77-9	4,4'-Methylenedianiline
91-20-3	Naphthalene

98-95-3	Nitrobenzene
92-93-3	4-Nitrobiphenyl
100-02-7	4-Nitrophenol
79-46-9	2-Nitropropane
684-93-5	N-Nitroso-N-methylurea
62-75-9	N-Nitrosodimethylamine
59-89-2	N-Nitrosomorpholine
56-38-2	Parathion
82-68-8	Pentachloronitrobenzene (Quintobenzene)
87-86-5	Pentachlorophenol
108-95-2	Phenol
106-50-3	p-Phenylenediamine
75-44-5	Phosgene
7803-51-2	Phosphine
N/A	Phosphorus Compounds
85-44-9	Phthalic anhydride
1336-36-3	Polychlorinated biphenyls (Aroclors)
1120-71-4	1,3-Propane sultone
57-57-8	beta-Propiolactone
123-38-6	Propionaldehyde
114-26-1	Propoxur (Baygon)
78-87-5	Propylene dichloride (1,2-Dichloropropane)
75-56-9	Propylene oxide
75-55-8	1,2-Propylenimine (2-Methylaziridine)
91-22-5	Quinoline
106-51-4	Quinone (p-Benzoquinone)
100-42-5	Styrene
96-09-3	Styrene oxide
1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethylene (Perchloroethylene)
7550-45-0	Titanium tetrachloride
108-88-3	Toluene
95-80-7	Toluene-2,4-diamine
584-84-9	2,4-Toluene diisocyanate
95-53-4	o-Toluidine
8001-35-2	Toxaphene (chlorinated camphene)
120-82-1	1,2,4-Trichlorobenzene
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethylene
95-95-4	2,4,5-Trichlorophenol
88-06-2	2,4,6-Trichlorophenol
121-44-8	Triethylamine
1582-09-8	Trifluralin
540-84-1	2,2,4-Trimethylpentane

108-05-4	Vinyl acetate
593-60-2	Vinyl bromide
75-01-4	Vinyl chloride
75-35-4	Vinylidene chloride (1,1-Dichloroethylene)
1330-20-7	Xylenes (mixed isomers)
95-47-6	o-Xylene
108-38-3	m-Xylene
106-42-3	p-Xylene
	Antimony Compounds
	Arsenic Compounds (inorganic including arsine)
	Beryllium Compounds
	Cadmium Compounds
	Chromium Compounds
	Cobalt Compounds
	Coke Oven Emissions
	Cyanide Compounds ¹
	Glycol ethers ^{2,6}
	Lead Compounds
	Manganese Compounds
	Mercury Compounds
	Fine mineral fibers ³
	Nickel Compounds
	Polycyclic Organic Matter ⁴
	Radionuclides (including radon) ⁵
	Selenium Compounds

NOTE: For all listings above which contain the word "compounds" and for all glycol ethers, the following applies: Unless otherwise specified, these listings are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's infrastructure.

1. X'CN where X = H' or any other group where a formal dissociation may occur. For example, KCN or Ca(CN)₂.
2. Includes mono- and di- ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH₂CH₂)_n-OR'. Where:
 - n = 1, 2, or 3
 - R = alkyl C7 or less; or
 - R = phenyl or alkyl substituted phenyl;
 - R' = H, or alkyl C7 or less; or
 - OR' consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.
3. Includes mineral fiber emissions from facilities manufacturing or

processing glass, rock, slag fibers (or other mineral derived fibers) of average diameter of one micrometer or less.

4. Includes organic compounds with more than one benzene ring, and which have a boiling point greater than or equal to 100 ° C.
5. A type of atom which spontaneously undergoes radioactive decay.
6. The substance ethylene glycol monobutyl ether (EGBE, 2-Butoxyethanol) (CAS Number 111-76-2) is deleted from the list of hazardous air pollutants established by 42 U.S.C. 7412(b)(1)
 - (a) X'CN where X = H' or any other group where a formal dissociation may occur. For example, KCN or Ca(CN)₂.
 - (b) Includes mono- and di- ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH₂CH₂)_n -OR' where
n = 1, 2, or 3
R = alkyl or aryl groups
R' = R, H, or groups which, when removed, yield glycol ethers with the structure: R-(OCH₂CH₂)_n-OH. Polymers are excluded from the glycol category.
 - (c) Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, slag fibers (or other mineral derived fibers) of average diameter of one micrometer or less.
 - (d) Includes organic compounds with more than one benzene ring, and which have a boiling point greater than or equal to 100 ° C.
 - (e) A type of atom which spontaneously undergoes radioactive decay.
7. "MACT" means a control technology that achieves a maximum degree of reduction in emissions of the hazardous air pollutants with consideration to the cost of achieving such emission reduction and the non-air quality health and environmental impacts and energy requirements. The definition of MACT is subject to the provisions of Section 112(d)(3) of the Federal Clean Air Act.
8. "GACT" means generally available control technology. It is a case by case determination of what constitutes reasonable and proper control for hazardous air pollutants from area sources via control equipment, work practice standards, emission standards, process modifications, or raw materials substitution and/or reformulation. GACT may be different according to source category or the time in which a case by case GACT determination was conducted.

9. "Modification" means, for the purposes of this rule, a physical change in, or change in the method of operation of, a major source which results in a greater than de minimis increase in actual emissions of a hazardous air pollutant. Offsetting actual increases of hazardous air pollutants for the purposes of avoiding a modification is permissible if any such increase in a hazardous air pollutant is offset by an equal or greater decrease in the quantity of emissions of another hazardous air pollutant (or pollutants) from such source which is deemed more hazardous by the Department or the US EPA. A de minimis increase shall be defined as any increase above the de minimis levels established under Section 112(g) of the Federal Clean Air Act.

B. General Provisions for Case By Case Determinations of Hazardous Air Pollutant Control Requirements.

1. The role of the US EPA is recognized by the Department as being essential in the setting of case by case determinations of hazardous air pollutant control requirements. The federal agency is in the unique position to conduct research and compile national databases as to the source by source control levels that are being achieved or proposed in the regulation of hazardous air pollutants as a function of time. As the Department does not fully possess these abilities, the Department shall avail itself of the federal agency's resources prior to setting a case by case hazardous air pollutant requirement. In addition, the Department shall recognize any federal law, federal regulation, or lawfully promulgated policy of the US EPA pertaining to case by case determinations of hazardous air pollutant requirements as the minimum acceptable criteria prior to the setting of a case by case hazardous air pollutant requirement under the provisions of this rule and in accordance with any applicable requirements of Section 112(l) of the Clean Air Act.
2. The Department may consider other criteria in the absence of any data or requirement of the US EPA. In such cases the Department shall rely upon generally accepted engineering principles and any unique aspects of a source category as a whole that would be a prohibitory factor in the setting of a requirement for industries in that source category.
3. To the extent possible, it is the Department's intent to impose MACT and/or GACT limitations equivalent to those which would be imposed by the US EPA on a case by case basis for those sources subject to requirements under Sections 112(g) or 112(j) of the Federal Clean Air Act when there is no existing MACT or GACT standard. Should there be a compelling reason to be more stringent than the federal equivalent, the Department may issue a more stringent MACT or GACT requirement in accordance with the regulations of Section 112(l) of the Clean Air Act. In the exercise of the authority to issue a more stringent requirement, the Department shall issue a

determination specifying the rationale employed in the setting of a more stringent requirement. The determinations shall accompany the permit in which the case by case determination is declared. As the declaration of a case by case requirement will be specified on a permit, disputes regarding the imposition of MACT or GACT are to be resolved in the manner prescribed by these regulations. If GACT is done on a permit by rule basis, the Department will view the public hearing process as the permittee's opportunity to object to the requirement of GACT.

C. Standard for Existing Sources

1. Major sources will be issued an operating permit pursuant to the provisions of 25.0 listing their current hazardous air pollutant emission rate on a pollutant by pollutant basis. These "hollow permits" will remain in effect until one or more of the following activities occurs:

(a) When the US EPA promulgates MACT for a source specific category pursuant to Section 112(d) or (h) of the Clean Air Act, the Department shall specify MACT for all existing major sources in that category as an administrative amendment to their "hollow permit" within 12 months. A compliance schedule to attain MACT by a certain date shall be made part of the permit. The length of the schedule to attain compliance shall be determined by the complexities of coming into compliance and the Department's intent to be equivalent to the federal MACT.

NOTE: The compliance schedule(s) shall at no time be less stringent than the compliance schedule established by the US EPA.

(b) If the US EPA fails to meet the schedules prescribed in Section 112(e)(1) and (3) for timely promulgation of MACT requirements, thereby invoking the "MACT hammer" provisions at Section 112(j) of the federal Clean Air Act, the Department shall specify MACT for all sources in source category in question as an administrative amendment to their "hollow permit" no later than 18 months after the federally missed deadline for the source category.

(c) In accordance with Section 112(g) of the Federal Clean Air Act, the Department shall specify MACT for all existing sources undergoing a modification, construction, or reconstruction as an administrative amendment to their existing or "hollow" permit before actual operation of such modified source begins.

2. Area sources will be issued an operating permit specifying GACT with an appropriate compliance schedule to achieve that requirement by a certain date with 12 months of the US EPA's promulgation of a source specific GACT standard if they are in that source specific category. It shall be the duty of an area source owner or operator to register their annual emissions of hazardous air pollutants with the Department utilizing the forms prescribed by the Department. In the interest of efficiency, the Department may bring proposed regulations to the Board that would permit area sources by rule on a source category specific basis. It is the intent of the Department that such rule would be effective within 12 months of the federal GACT promulgations.

D. Standard for New Sources:

1. Major sources shall utilize MACT as prescribed by the Department upon startup regardless of whether or not the US EPA has established MACT under Sections 112(d), (f), or (h) or scheduled the source category for action under Section 112(e)(1) and (3) of the Federal Clean Air Act. In accordance with Section 112(g) of the Federal Clean Air Act, MACT shall be prescribed on the source's construction permit and transferred to the source's operating permit upon startup of the facility.
2. Area sources which are listed categories of sources under Section 112(c)(1) shall utilize MACT or GACT as established under Sections 112(d), (f), or (h) upon startup. MACT or GACT shall be prescribed on the source's construction permit and transferred to the source's operating permit upon startup of the facility. All other area sources shall utilize reasonable and proper controls as determined by the Director.
3. In addition to the other provisions of the Section, the following regulations established by the U.S. Environmental Protection Agency shall be implemented at all applicable facilities: Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections, Section 112(g) and 112(j), as specified in 40 CFR 63, Subpart B (61 FR 68399; December 27, 1996).

E. Opportunity for Early Reductions Schedule

1. The owner or operator of an existing source of hazardous air pollutants may be issued an operating permit allowing six additional years to comply with a future MACT standard as provided for in Section 112(i)(5) of the Federal Clean Air Act if each of the following criteria are satisfied:
 - (a) The source will utilize controls and/or work practices that will result in a 90 per centum or more reduction in emissions for hazardous air

pollutants (95 per centum in the case of hazardous air pollutants which are particulates).

- (1) The reduction shall be determined with respect to verifiable and actual emissions in a base year not earlier than calendar year 1987.
 - (2) If there is evidence that emissions in the base year 1987 or any subsequent base year are artificially or substantially greater than emissions in other years prior to the implementation of the early emission reduction, the Department shall require the use of an arithmetic average of the years commencing upon the suspect year and ending upon the period of the time that the emission reductions will occur for the purpose of determining base year emission levels.
 - (3) The Department may allow a source to use 1985 or 1986 emission data for the purpose of determining base year emissions of the source has submitted such data to him in a form that can be used to make the baseline calculations and further that such information was in his possession prior to November 15, 1990.
2. The early emission reduction must occur prior to the federal proposal of a source category specific MACT standard to which the source will be subject. Federal MACT proposals will be considered effective when the US EPA publishes the standard in the Federal Register. The reduction need not actually occur prior to the federal proposal if the source owner or operator has committed to an enforceable schedule that extends no further than January 1, 1994.
 3. A major source operating permit must be issued to the source owner or operator pursuant to the provisions of 25.70 detailing the schedule to attain the early emission reductions and the enforceable emission limit that is to be attained. For the purposes of this subsection, the Department shall issue the permit within 9 months of application. The permit issued applies only to the portion of a contiguous facility defined as the early reductions source under definitions provided in 40 CFR, Section 63.73.
 4. The early reductions of less toxic hazardous air pollutants will not be credited toward the reduction of highly toxic hazardous air pollutants (such as, but not limited to, chlorinated dioxins and furans) that pose high risks of adverse public health effects associated with exposure to small quantities of such highly toxic hazardous air pollutants. The Department shall use the relative

risks of chlorinated dioxins and furans as a qualitative benchmark in determining whether or not a hazardous air pollutant is highly toxic as well as the weighting factors for high risk pollutants as required under 40 CFR 63.74.

F. Residual Risk and Revisions to MACT

1. MACT standards are subject to revision and/or addition standards if the US EPA determines that the existing MACT standards are insufficient to protect the public pursuant to the residual risk provisions of Section 112(f) of the federal Clean Air Act. Upon such finding, the Department shall revise and/or set additional standards to the previously set MACT limitations in that source category to conform to the federally promulgated revised MACT standards within 12 months of such federal promulgation. Said revision will be an administrative amendment to the source's operating permit. The Department shall prescribe a compliance schedule on the permit amendment that will specify an expeditious date to attain compliance with the revised MACT standards. The length of the schedule will be determined by the complexities of coming into compliance and the Department's desire to be equivalent to any federally revised MACT requirements.

NOTE: The compliance schedules shall at no time be less stringent than the compliance schedule established by the US EPA.

G. Stringency

1. In any case where the Administrator of the US EPA determines that the provisions of the Tennessee Division of Air Pollution Control Rule 1200-3-11.33 are more stringent than those of Section 35.3, sources will be subject to the more stringent provisions.

35.4 Prevention of Accidental Releases

A. Definitions (Reserved)

B. Duty to File Accidental Release Plan

1. Sources which are subject to the provision of Section 112(r) of the Federal Clean Air Act (42 U.S.C. 7401 et seq.), or any federal regulations promulgated thereunder, must file a copy of any plan or submittal required therein with the Director. If such a source is subject to the permitting requirements of Section 25.70 and has failed to timely file their plan with the United States EPA, the Director shall place them on a schedule of compliance to develop and file the plan. The schedule of compliance shall be placed on the source's operating permit consistent with Section 25.70.6(c)(3).

2. The Director is specifically authorized to request information from sources for the purpose of determining whether or not they are subject to Section 112(r) of the federal Clean Air Act or any federal regulations promulgated there under.

 3. Sources that have filed an accidental release plan shall annually certify in writing to the Director that they are properly following their accidental release plan. The annual certification must be submitted to the Director no later than January 31st of the following year.
- C. Sources subject to these provisions must also comply with any additional applicable requirements established by the US EPA in federal regulations promulgated under Section 112(r) of the CAA.