

## **Knox County Air Pollution Control Board**

### **Proposed Regulatory Revisions January 18, 2017**

1. Revise Section 16.2 (Definitions) by replacing the language for the definition of “Open Burning”, so that it reads as follows:

“ “Open Burning” is the unconfined burning of combustible material where no equipment has been provided or used for the control of air for combustion.”

2. Revise Section 25.1 (Construction Permits) so that Section 25.1.C reads as follows:

“ C. Any person responsible for the construction or modification of a potential air contaminant source shall obtain, on forms furnished by the Department, a valid Construction Permit. The Construct Permit shall become invalid if construction is not commenced within 18 months after receipt of the Construction Permit, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Director may extend the 18-month period upon a satisfactory showing that an extension is justified. An inspection of the source may be conducted by the Department. Any violation of these regulations shall invalidate the Construction Permit. Upon compliance with these regulations, it shall be necessary to apply for a new Construction Permit. “

3. Revise Section 25.9.F (Annual Emission Fees for Minor Sources) so that the language of Sections 25.9.F.8, 25.9.F.9, and 25.9.F.10 (each) is replaced with the term “Reserved”, so that they read as follows:

“

8. Reserved

9. Reserved

10. Reserved “

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4. Revise Section 41.1.A.36.a. so that it reads as follows:

“

- a. Any stationary source of air pollutants that emits, or has the potential to emit, 100 tons per year or more of any regulated NSR pollutant, except that lower emissions thresholds shall apply in areas subject to subpart 2, subpart 3, or subpart 4 of part D, title I of the Clean Air Act, according to Sections 41.1-A.36.a(1) through (8).
  - (1) 50 tons per year of volatile organic compounds in any serious ozone nonattainment area.
  - (2) 50 tons per year of volatile organic compounds in an area within an ozone transport region, except for any severe or extreme ozone nonattainment area.
  - (3) 25 tons per year of volatile organic compounds in any severe ozone nonattainment area.
  - (4) 10 tons per year of volatile organic compounds in any extreme ozone nonattainment area.
  - (5) 50 tons per year of carbon monoxide in any serious nonattainment area for carbon monoxide, where stationary sources contribute significantly to carbon monoxide levels in the area (as determined under rules issued by the Administrator).
  - (6) 70 tons per year of PM<sub>10</sub> in any serious nonattainment area for PM<sub>10</sub>.
  - (7) 70 tons per year of PM<sub>2.5</sub> in any serious nonattainment area for PM<sub>2.5</sub>.
  - (8) 70 tons per year of any individual precursor for PM<sub>2.5</sub> in any serious nonattainment area for PM<sub>2.5</sub>. “

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5. Revise Section 41.1.A.52.c.(2) so that it reads as follows:

“(2) Sulfur dioxide, nitrogen oxides, volatile organic compounds and ammonia are precursors to PM<sub>2.5</sub> in any PM<sub>2.5</sub> nonattainment area unless a NNSR precursor demonstration submitted to and approved by the Administrator shows that sources of a particular precursor do not contribute significantly to PM<sub>2.5</sub> levels that exceed the standard in the area. “

6. Revise Section 41.1.A.56.a.(7) so that it reads as follows:

“

(7) PM<sub>2.5</sub>: 10 tpy of direct PM<sub>2.5</sub> emissions; 40 tpy of sulfur dioxide emissions; 40 tpy of nitrogen oxide emissions; 40 tpy of VOC emissions; or 40 tpy of ammonia; to the extent that any such pollutant is defined as a precursor for PM<sub>2.5</sub> in 41.1-A.52.c. “

7. Revise Section 41.3.A. so that it reads as follows:

“

A. No major stationary source or major modification to which the requirements of Section 41.3 apply shall begin actual construction without a permit that states that the stationary source or modifications will meet those requirements.

The requirements of Section 41.3 shall apply to any new stationary source or major modification that is major for a regulated NSR pollutant, or precursor to a regulated NSR pollutant as applicable, if the stationary source or modification would be constructed anywhere in an area designated nonattainment (as of the date of the permit issued in accordance with Section 41.3) for such pollutant under Section 107(d)(1)(A)(i) of the Act. Different regulated NSR pollutants, including individual precursors to a regulated NSR pollutant, are not summed to determine applicability of a major stationary source or major modification.

The requirements of Section 41.3 shall apply to each nonattainment pollutant (and in some cases each precursor to the nonattainment pollutant) that the source will emit, or will have the potential to emit, in major amounts. In the case of a modification, the requirements shall apply to the significant net emissions increase of each nonattainment pollutant (and each precursor to the nonattainment pollutant, as applicable) for which the source is major. “

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8. Revise Section 41.3.A.12. so that it reads as follows:

“

12. Except as otherwise provided in Section 41.3-A.17 and consistent with the definition of major modification contained in Section 41.1-A.34, a project is a major modification for a regulated NSR pollutant (as defined in Section 41.1-A.52) if it causes two types of emissions increases—a significant emissions increase (as defined in Section 41.1-A.57), and a significant net emissions increase (as defined in Sections 41.1-A.41 and 41.1-A.56.) The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase. “