

**Knox County Air Pollution Control Board**

**Compilation of Proposed Regulatory Revisions**  
**April 18, 2018**

**Section 16.0, Open Burning**

**Section 18.0, Regulation of Non-Process Emissions**

**Section 19.0, Regulation of Process Emissions**

**Section 25.0, Permits**

**Redline/~~Strikeout~~**

**Section 16  
Open Burning**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions  
April 18, 2018**

**Revise the following definitions of Section 16.2 to read:**

**“Air Curtain Destructor or Air Curtain Incinerator”** is a portable or stationary combustion device that directs a plane of high velocity forced draft air through a manifold head into a burn chamber with vertical walls in such a manner as to maintain a curtain of air over the surface of the burn chamber and a recirculating motion of air under the curtain. ~~The use of an air curtain destructor is considered controlled open burning subject to the opacity requirements of Section 17.0 (Regulation of Visible Emissions) of these Regulations.~~

**“Wood Waste”** is defined as any product which has not lost its basic character as wood, such as bark, sawdust, chips, and chemically untreated lumber whose “disposition” by open burning is to solely get rid of or destroy. Plant life of a herbaceous nature, such as leaves, whether attached, fallen, and/or collected, evergreen needles, and grasses, are not considered “wood waste”. Additionally, manufactured lumber products, such as plywood, fiberboard, particleboard, and paneling, are not considered “wood waste”. Painted or artificially stained wood is not considered “wood waste”.

**Revise Section 16.4 to read:**

Open burning may be allowed ~~in Knox County outside the Knoxville City limits~~ when a valid permit has been obtained from the Department for the following purposes prior to the initiation of the open burning providing no detriment to public health, no public nuisance, and no land, air, or water traffic hazard is created. ~~Open burning within Knoxville City limits is expressly prohibited by City Ordinance Section 13-8. This grant of exemption shall in no way relieve the person responsible for such burning from the consequences or the damages, injuries, or claims resulting from such burning, or of the responsibility of obtaining any other permit from any other agency.~~

- A. Open burning may be conducted to clear land of brush wood (of which no part may exceed three (3) inches in diameter) grown on that land provided all applicable conditions are met; including, but not limited to:

1. where †The land is being maintained for the following purposes:

- a. Established private residences, consisting of one or two dwelling units.
- b. Farming operations, growing crops for human or animal consumption or raising livestock for human consumption. Note: commercial nursery operations are not included in this description. Commercial nursery operations are those businesses where plants (e.g., trees, shrubs, etc.) are grown for transplanting, for use as stocks for budding and grafting, or for sale.

c. Established church congregational property.

2. The open burning of solid waste, including brush wood, within the City of Knoxville limits is expressly prohibited by City Ordinance Section 13-8. Therefore, open burning to clear land of brush wood grown on that land is prohibited within the City of Knoxville limits.

3. Brush wood may not be burned in piles exceeding 144 cubic feet.

4. This paragraph will not be construed to allow burning of materials cleared to prepare land for any construction purposes.

NOTE: The term "brush wood" excludes leaves, grass clippings, and stumps.

B. Open fires may be set for the training and instruction of public or private firefighting personnel- ~~pp~~ provided all applicable conditions are met; including, but not limited to:

1. Application is made not less than 10 days prior to the proposed burn date. Failure to submit completed forms or to supply any requested supplementary information concerning a proposed open burning operation shall constitute just cause for refusing issuance of a permit.

2. The following certifications must be made with the application, on the date of application:

a. Certification that ~~the structure is free of all regulated~~ asbestos containing materials have been removed in accordance with Section 35.2.1-M;

b. Certification that ~~the structure is free of asphalt shingles,~~ all vinyl siding, carpet, vinyl flooring, asphalt roofing materials, and any other materials expressly prohibited in Section 16.6, have been removed. However, the provisions of Section 16.6 as it pertains solely to "plastics", "synthetics", "treated wood", and "wire insulation" are waived for incidental plastic, synthetics, treated wood, or wire insulation materials which are an integral part of a structure used for fire training, such as plastic plumbing, fixtures, and conduit; electrical wiring insulation, connections, switches, and fixtures; interior trim; glues and resins in manufactured wood products; and vinyl window and door frames. Sheathing, decking, roofing, exterior siding and trim, and structural load-bearing members whose composition is primarily rubber or plastics are not considered incidental;

c. Certification that the open burning is being conducted solely for fire training purposes; and

- d. Certification that a traffic hazard will not be generated.
3. Routine demolition of structures via supervised burning by responsible fire control personnel will not be considered fire training ~~or an elimination of a fire hazard~~. Therefore, such activity deemed not for fire training ~~or fire hazard elimination~~ purposes is prohibited.
- C. ~~(Reserved)~~.
- D. Such other open burning as may be approved by the Director ~~of the Knox County Department of Air Quality Management~~ where there is no other practical-, safe, and/or lawful method of disposal. Documentation demonstrating why the requirements of Section 16.0 ~~of these Regulations~~ cannot be met must be submitted. The Director will determine whether to approve or disapprove after receipt of the documentation and completion of the staff inspection.
  - E. Smokeless flares or safety flares for the combustion of waste gases, provided other remaining applicable conditions of the Knox County Air Quality Management Regulations are met.

**Revise Section 16.5 to read:**

16.5 General Open Burning Conditions - With Permit

~~All open burning shall be between the hours of 9:00 a.m. and 3:00 p.m. or as authorized by the Department. The provisions of Section 16.5 shall apply to open burning conducted pursuant to Sections 16.4-A, 16.4-B, and 16.4-D.~~

- A. All open burning shall be between the hours of 9:00 a.m. and 3:00 p.m. All and all vestiges of open burning shall be non-existent in the air no later than 4:00 p.m. or as authorized by the Department. ~~NOTE: Materials may not be burned in piles exceeding 144 cubic feet.~~
- B. Under adverse meteorological or weather conditions as determined by the Director, and on “air pollution action days”, all permits shall be invalid, and no open burning shall be allowed. -“Air pollution action days” are those days on which the Department has determined that air pollution levels may potentially exceed a National Primary Ambient Air Quality Standard. ~~These~~ National Primary Ambient Air Quality Standards are identified in 40 CFR 50.

- C. Permits must be received and maintained on site prior to commencement of and during burning.
- D. All material to be burned must be dry and in other respects be in a state to sustain good combustion.
- E. The granting of an open burning permit shall in no way relieve the person responsible for such burning from the consequences or the damages, injuries, or claims resulting from such burning, or of the responsibility of obtaining any other permit from any other agency.
- F. Priming materials used to facilitate open burning shall be limited to #1 or #2 grade fuel oils, wood waste, or other ignition devices approved by the Director.

**Revise Section 16.6 to read:**

16.6 Open Burning of Prohibited Materials

None of the exceptions listed in ~~paragraphs-Section~~ 16.3 or 16.4 are to be construed to allow the open burning of leaves, tires, plastics, synthetics, grass clippings, stumps, waste fluids, garbage, treated wood, wire insulation, or construction rubbish including, but not limited to shingles, siding, insulation, asphalt, or coal tar impregnated products, etc.

**Revise Section 16.7 to read:**

16.7 Air Curtain Destructors and Air Curtain Incinerators Prohibited

Regardless of any other provision in these Knox County Air Quality Management Regulations, the use of any air curtain destructor or air curtain incinerator will be prohibited in Knox County after January 1, 2005. None of the exceptions listed in ~~paragraphs-Section~~ 16.3 or 16.4 (including 16.4.D) are to be construed to allow the use of an air curtain destructor or air curtain incinerator after this date. Exceptions may be made at the discretion of the ~~agency~~ Department until April 30, 2005.

**Redline/Strikeout**

**Section 18**

**Regulation of Non-Process Emissions**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

**Revise Section 18.1-B.1 to read:**

1. Operating permit holders must adhere to the terms and limitations of such permits (or subsequent revision of the permit made in accordance with the approved operating permit program), and any such permits which do not ~~confirm~~

conform to the operating permit program requirements and the requirements of EPA's underlying regulations may be deemed not "federally enforceable" by EPA.

**Revise Section 18.2 to read:**

18.2 Non-Process– Particulate Matter Emissions

- A. On or after the effective date of these regulations, no person shall cause, suffer, allow, or permit discharge of particulate matter emissions from any fuel burning installation that is a new source (as defined in Section 13.0) in excess of ~~that shown~~ the allowable particulate matter emissions set forth in Figure 1 Table 18.1.

TABLE 18.1  
ALLOWABLE PARTICULATE MATTER EMISSIONS  
FROM NEW FUEL BURNING INSTALLATIONS<sup>a</sup>

<u>Total Installation Heat Input</u> <u>(Million Btu per hour)</u>	<u>Allowable Particulate Matter Emissions</u> <u>(lb per Million Btu (per hour))</u>
<u>Less than or equal to 10</u>	<u>0.600</u>
<u>25</u>	<u>0.360</u>
<u>50</u>	<u>0.245</u>
<u>75</u>	<u>0.195</u>
<u>100</u>	<u>0.167</u>
<u>125</u>	<u>0.147</u>
<u>150</u>	<u>0.133</u>
<u>200</u>	<u>0.113</u>
<u>Greater than or equal to 250</u>	<u>0.100</u>

<sup>a</sup>Interpolation of the data in this table for total installation heat inputs between 10 million Btu per hour to 250 million Btu per hour shall be accomplished by using the equation:

$$E = 2.1615 H^{-0.5566}$$

Where: E = allowable particulate matter emissions in lb per Million Btu (per hour)

H = total installation heat input in Million Btu per hour

- B. On or after October 1, 1972, no person shall cause, suffer, allow, or permit discharge of particulate matter emissions from any fuel burning installation that is an existing source (as defined in Section 13.0) in the atmosphere in excess of ~~those shown~~ the allowable particulate matter emissions set forth in Table ~~18.2~~.

TABLE 18.2  
ALLOWABLE PARTICULATE MATTER EMISSIONS  
FROM EXISTING FUEL BURNING INSTALLATIONS<sup>a</sup>

<u>Total Installation Heat Input</u> <u>(Million Btu per hour)</u>	<u>Allowable Particulate Matter Emissions</u> <u>(lb per Million Btu (per hour))</u>
<u>Less than or equal to 10</u>	<u>0.60</u>
<u>50</u>	<u>0.45</u>
<u>100</u>	<u>0.40</u>
<u>500</u>	<u>0.30</u>
<u>1,000</u>	<u>0.27</u>
<u>2,500</u>	<u>0.23</u>
<u>5,000</u>	<u>0.20</u>
<u>7,500</u>	<u>0.19</u>
<u>Greater than or equal to 10,000</u>	<u>0.18</u>

<sup>a</sup>Interpolation of the data in this table for total installation heat inputs between 10 million Btu per hour to 10,000 million Btu per hour shall be accomplished by using the equation:

$$E = 0.895 H^{-0.175}$$

Where: E = allowable particulate matter emissions in lb per Million Btu (per hour)

H = total installation heat input in Million Btu per hour

- C. On or after July 1, 1975, ~~all sources shall meet~~ no person shall cause, suffer, allow, or permit discharge of particulate matter emissions from any fuel burning installation

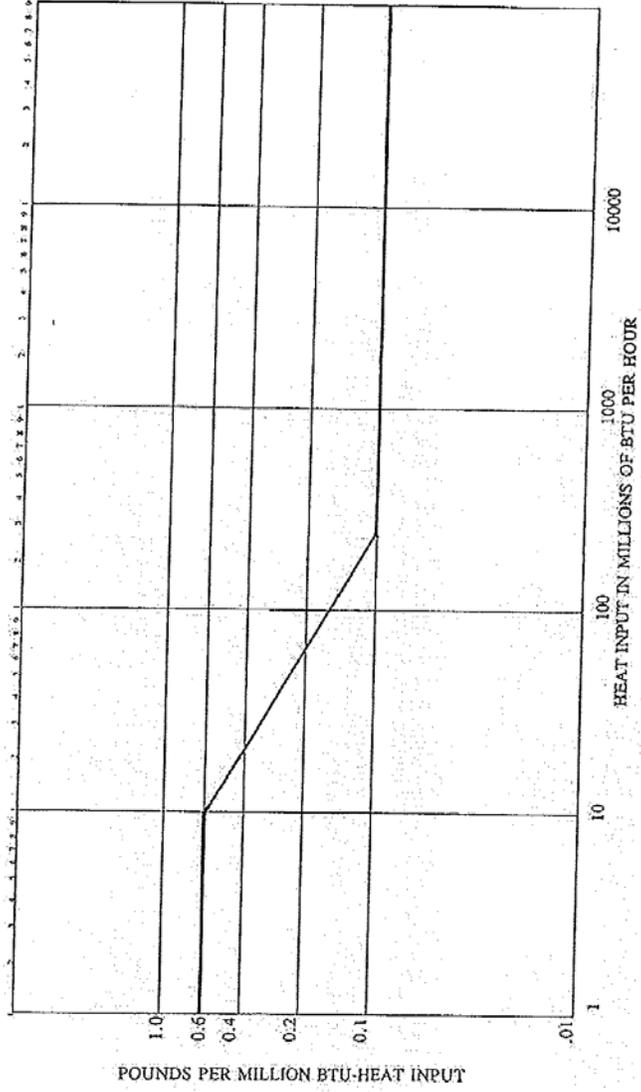
in excess of the allowable particulate matter emissions standards in Figure 1 set forth in Table 18.1.

**Add the following paragraph to Section 18.4:**

E. For the purposes of Section 18.4, thermal oxidizers and incinerators shall be construed as a process emission sources and the requirements of Section 19.4 shall apply to thermal oxidizers and incinerators.

**Remove the following Figure 1 and TABLE I from Section 18.0:**

FIGURE I  
 MAXIMUM ALLOWABLE PARTICULATE EMISSIONS FROM NON-PROCESS INSTALLATIONS



Interpretation of this graph for heat input between 10 million to 250 million BTU per hour shall be accomplished by use of the equation:  
 $E = 2.1615 \cdot H^{-0.5586}$ , where E = emitted pounds per million BTU (per hour) and H = total heat input in million BTU per hour.

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TABLE I  
 MAXIMUM PARTICULATE EMISSIONS FROM  
 NON-PROCESS INSTALLATIONS

Total Heat Input in Million BTU Per Hour	Maximum Emissions in Pounds Per Million BTU Per Hour
10 and Less	0.60
50	0.46
100	0.40
500	0.30
1,000	0.26
2,500	0.23
5,000	0.20
7,500	0.19
10,000 and Over	0.18

Interpolation of the data in this table shall be accomplished by use of the equation  $E=0.895H^{-0.175}$ . E = emitted pounds per million BTU per hour, and H = total heat input in million BTU per hour

**Redline/~~Strikeout~~**

**Section 19**

**Regulation of Process Emissions**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

**Revise Section 19.2 to read:**

18.3 Process Particulate Matter Emissions

D. On or after the effective date of these regulations, no person shall cause, suffer, allow, or permit discharge of ~~process~~ particulate matter emissions from any process emission source that is a new source (as defined in Section 13.0) into the atmosphere in excess of ~~those levels shown~~ the allowable rate of emission set forth in ~~Table H~~ Table 19.1.

TABLE 19.1  
NEW PROCESS EMISSION SOURCES  
ALLOWABLE RATE OF EMISSION BASED ON TOTAL PROCESS WEIGHT RATE<sup>a</sup>

<u>Process Weight Rate</u>		<u>Allowable Rate of Emission</u>	<u>Process Weight Rate</u>		<u>Allowable Rate of Emission</u>
<u>lb/hr</u>	<u>Tons/hr</u>	<u>Lb/hr</u>	<u>lb/hr</u>	<u>Tons/hr</u>	<u>Lb/hr</u>
<u>50</u>	<u>0.025</u>	<u>0.36</u>	<u>10,000</u>	<u>5.00</u>	<u>9.7</u>
<u>100</u>	<u>0.05</u>	<u>0.55</u>	<u>12,000</u>	<u>6.00</u>	<u>10.9</u>
<u>200</u>	<u>0.10</u>	<u>0.86</u>	<u>16,000</u>	<u>8.00</u>	<u>13.0</u>
<u>400</u>	<u>0.20</u>	<u>1.32</u>	<u>18,000</u>	<u>9.00</u>	<u>14.0</u>
<u>600</u>	<u>0.30</u>	<u>1.70</u>	<u>20,000</u>	<u>10</u>	<u>15.0</u>
<u>800</u>	<u>0.40</u>	<u>2.03</u>	<u>30,000</u>	<u>15</u>	<u>19.2</u>
<u>1,000</u>	<u>0.50</u>	<u>2.34</u>	<u>40,000</u>	<u>20</u>	<u>23.0</u>
<u>1,500</u>	<u>0.75</u>	<u>3.00</u>	<u>50,000</u>	<u>25</u>	<u>26.4</u>
<u>2,000</u>	<u>1.00</u>	<u>3.59</u>	<u>60,000</u>	<u>30</u>	<u>29.6</u>
<u>2,500</u>	<u>1.25</u>	<u>4.12</u>	<u>70,000</u>	<u>35</u>	<u>30.6</u>
<u>3,000</u>	<u>1.50</u>	<u>4.62</u>	<u>80,000</u>	<u>40</u>	<u>31.2</u>
<u>3,500</u>	<u>1.75</u>	<u>5.08</u>	<u>90,000</u>	<u>45</u>	<u>31.8</u>
<u>4,000</u>	<u>2.00</u>	<u>5.52</u>	<u>100,000</u>	<u>50</u>	<u>32.4</u>
<u>5,000</u>	<u>2.50</u>	<u>6.34</u>	<u>120,000</u>	<u>60</u>	<u>33.3</u>

<u>6,000</u>	<u>3.00</u>	<u>7.09</u>	<u>140,000</u>	<u>70</u>	<u>34.2</u>
<u>7,000</u>	<u>3.50</u>	<u>7.81</u>	<u>160,000</u>	<u>80</u>	<u>34.9</u>
<u>8,000</u>	<u>4.00</u>	<u>8.5</u>	<u>200,000</u>	<u>100</u>	<u>36.2</u>
<u>9,000</u>	<u>4.50</u>	<u>9.1</u>	<u>1,000,000</u>	<u>500</u>	<u>46.8</u>

<sup>a</sup>Interpolation of the data in this table for process weight rates up to 60,000 lbs/hr shall be accomplished by using the equation:

$$E = 3.59 P^{0.62} \text{ for } P \text{ less than or equal to } 30 \text{ tons/hr}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lbs/hr shall be accomplished by using the equation:

$$E = 17.31 P^{0.62} \text{ for } P \text{ greater than } 30 \text{ tons/hr}$$

Where: E = emissions in pounds per hour

P = process weight rate in tons per hour

- E. On or after October 1, 1972, no person shall cause, suffer, allow, or permit discharge of ~~process~~ particulate matter emissions from any process emission source that is an existing source (as defined in Section 13.0) into the atmosphere in excess of ~~those levels shown~~ the allowable rate of emission set forth in Table #19.2.

TABLE 19.2  
EXISTING PROCESS EMISSION SOURCES  
ALLOWABLE RATE OF EMISSION BASED ON TOTAL PROCESS WEIGHT RATE<sup>a</sup>

<u>Process Weight Rate</u>		<u>Allowable Rate of Emission</u>	<u>Process Weight Rate</u>		<u>Allowable Rate of Emission</u>
<u>lb/hr</u>	<u>Tons/hr</u>	<u>Lb/hr</u>	<u>lb/hr</u>	<u>Tons/hr</u>	<u>Lb/hr</u>
<u>100</u>	<u>0.05</u>		<u>16,000</u>	<u>8.00</u>	
<u>200</u>	<u>0.10</u>		<u>18,000</u>	<u>9.00</u>	
<u>400</u>	<u>0.20</u>		<u>20,000</u>	<u>10</u>	
<u>600</u>	<u>0.30</u>		<u>30,000</u>	<u>15</u>	

<u>800</u>	<u>0.40</u>		<u>40,000</u>	<u>20</u>	
<u>1,000</u>	<u>0.50</u>		<u>50,000</u>	<u>25</u>	
<u>1,500</u>	<u>0.75</u>		<u>60,000</u>	<u>30</u>	
<u>2,000</u>	<u>1.00</u>		<u>70,000</u>	<u>35</u>	
<u>2,500</u>	<u>1.25</u>		<u>80,000</u>	<u>40</u>	
<u>3,000</u>	<u>1.50</u>		<u>90,000</u>	<u>45</u>	
<u>3,500</u>	<u>1.75</u>		<u>100,000</u>	<u>50</u>	
<u>4,000</u>	<u>2.00</u>		<u>120,000</u>	<u>60</u>	
<u>5,000</u>	<u>2.50</u>		<u>140,000</u>	<u>70</u>	
<u>6,000</u>	<u>3.00</u>		<u>160,000</u>	<u>80</u>	
<u>7,000</u>	<u>3.50</u>		<u>200,000</u>	<u>100</u>	
<u>8,000</u>	<u>4.00</u>		<u>1,000,000</u>	<u>500</u>	
<u>9,000</u>	<u>4.50</u>		<u>2,000,000</u>	<u>1,000</u>	
<u>10,000</u>	<u>5.00</u>		<u>6,000,000</u>	<u>3,000</u>	
<u>12,000</u>	<u>6.00</u>				

<sup>a</sup>Interpolation of the data in this table for process weight rates up to 60,000 lbs/hr shall be accomplished by using the equation:

$$E = 4.10 P^{0.67} \text{ for } P \text{ less than or equal to } 30 \text{ tons/hr}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lbs/hr shall be accomplished by using the equation:

$$E = 55.0 P^{0.11} - 40 \text{ for } P \text{ greater than } 30 \text{ tons/hr}$$

Where: E = emissions in pounds per hour

P = process weight rate in tons per hour

- F. On or ~~before~~ after June 1, 1975, ~~all sources shall meet~~ no person shall cause, suffer, allow, or permit discharge of particulate matter emissions from any process emission source in excess of the process particulate emission allowable rates of emission set forth in Table #19.1.

**Revise the following paragraphs of Section 19.6 to read:**

- A. ~~Regardless~~ Irrespective of the allowable particulate matter emissions as determined by ~~Table II~~ any of the equations or Process Weight Tables in Section 19.2, the maximum allowable ~~emission rate~~ concentration of particulate matter emissions from a process emission source shall not exceed 0.25 grains/DSCF of stack gases.
- B. ~~Where allowable particulate emissions as determined by Table II equations indicate a lesser concentration, the Director, with the advice and consent of the Board may set a maximum allowable~~ Irrespective of the allowable particulate matter emissions as determined by any of the equations or Process Weight Tables in Section 19.2, the concentration of particulate matter emissions from a process emission source shall not be required to be less than ~~rate of~~ 0.02 grains/DSCF of stack gases unless a lesser concentration is found by the Board to be necessary.

**Remove the following TABLE II and TABLE III from Section 19.0:**

TABLE II					
NEW PROCESS EMISSION SOURCES ALLOWABLE RATE OF EMISSION BASED ON TOTAL PROCESS WEIGHT RATE <sup>a</sup>					
Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb./Hr.	Tons/Hr.	Lb./Hr.	Lb./Hr.	Tons/Hr.	Lb./Hr.
50	0.025	0.36	10,000	5.00	9.7
100	0.05	0.55	12,000	6.00	10.9
200	0.10	0.86	16,000	8.00	13.0
400	0.20	1.32	18,000	9.00	14.0
600	0.30	1.70	20,000	10.	15.0
800	0.40	2.03	30,000	15.	19.2
1,000	0.50	2.34	40,000	20.	23.0
1,500	0.75	3.00	50,000	25.	26.4
2,000	1.00	3.59	60,000	30.	29.6
2,500	1.25	4.12	70,000	35.	30.6
3,000	1.50	4.62	80,000	40.	31.2
3,500	1.75	5.08	90,000	45.	31.8
4,000	2.00	5.52	100,000	50.	32.4
5,000	2.50	6.34	120,000	60.	33.3
6,000	3.00	7.09	140,000	70.	34.2
7,000	3.50	7.81	160,000	80.	34.9
8,000	4.00	8.5	200,000	100.	36.1
9,000	4.50	9.1	1,000,000	500.	46.7

<sup>a</sup>Interpolation of the data in Table II for the process weight rates up to 60,000 lb./hr. shall be accomplished by the use of the equation:

$$E = 3.59 P^{0.62} \quad P \leq 30 \text{ Tons/Hr.}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lbs./hr. shall be accomplished by the use of the equation:

$$E = 17.31 P^{0.16} \quad P > 30 \text{ Tons/Hr.}$$

Where: E = Emissions in pounds per hour  
P = Process weight rate in tons per hour

TABLE III					
EXISTING PROCESS EMISSION SOURCES					
ALLOWABLE RATE OF EMISSION BASED ON TOTAL PROCESS WEIGHT RATE <sup>a</sup>					
Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb./Hr.	Tons/Hr.	Lb./Hr.	Lb./Hr.	Tons/Hr.	Lb./Hr.
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	1.40	20,000	10.	19.2
600	0.30	1.83	30,000	15.	25.2
800	0.40	2.22	40,000	20.	30.5
1,000	0.50	2.58	50,000	25.	35.4
1,500	0.75	3.38	60,000	30.	40.0
2,000	1.00	4.10	70,000	35.	41.3
2,500	1.25	4.76	80,000	40.	42.5
3,000	1.50	5.38	90,000	45.	43.6
3,500	1.75	5.96	100,000	50.	44.6
4,000	2.00	6.52	120,000	60.	46.3
5,000	2.50	7.58	140,000	70.	47.8
6,000	3.00	8.56	160,000	80.	49.0
7,000	3.50	9.49	200,000	100.	51.2
8,000	4.00	10.4	1,000,000	500.	69.0
9,000	4.50	11.2	2,000,000	1,000.	77.6
10,000	5.00	12.0	5,000,000	3,000	92.7
12,000	6.00	13.6			

<sup>a</sup>Interpolation of the data in this table for process wight rates up to 60,000 lb./hr. shall be accomplished by the use of the equation:

$$E = 4.10 P^{0.67}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb./hr shall be accomplished by the use of the equation:

$$E = 55.0 P^{0.11} - 40$$

Where: E = Rate of emission lb./hr.

P = Process weight rate in tons/hr.

**Redline/~~Strikeout~~**

**Permits: Section 25.1**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions  
April 18, 2018**

**Revise the following paragraphs of Section 25.1 to read:**

- A. On or after the effective date of these regulations, no person shall begin the construction of a new source or the modification of an existing source, which may result in the discharge of air contaminants without first having applied for and received from the Director a ~~Construction-construction Permit permit~~ or, if applicable, submitted a notice of intent and obtained a notice of authorization, for the construction or modification of such air contaminant source.
  
- F. Construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants must be in accordance with the approved construction permit application or notice of intent; the provisions and stipulations set forth in the construction permit or notice of authorization; and all provisions of the Knox County Air Quality Management Regulations.

**Add the following paragraphs to Section 25.1:**

- H. Application for a construction permit shall be made on forms available from the Department not less than ninety (90) days prior to the estimated starting date of construction. Sources identified in Section 41.0 or 45.0 shall make application for a construction permit as provided in such Section not less than one hundred twenty (120) days prior to the estimated starting date of construction.
  
- I. Within 30 days after receipt of a construction permit application, or any addition to such application, the Director shall examine the construction permit application to insure it is complete and notify the applicant in writing of any deficiency in the application or in the information submitted. In the event of such a deficiency, the date of receipt of the application shall be, for the purpose of Section 25.1-J, the date on which the Director received all required information.
  - 1. When notifying the applicant that the application is incomplete, the Director shall specify the deficiencies and provide notice of opportunity for the applicant to correct, within thirty (30) days after the applicant is notified, the deficiencies.
  
  - 2. If the deficiencies are not corrected within ninety (90) days after the applicant is notified, the Department will officially deny the permit based on the incomplete permit application.
  
- J. The Director shall act on applications for a construction permit in accordance with the following time lines:

1. For a major source (as defined in Section 25.70-B.15), within one hundred eighty (180) days unless a longer time period is agreed to in writing by the applicant.
2. For all other air contaminant sources, within ninety (90) days.

**Redline/~~Strikeout~~**

**Permits: Section 25.2**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions  
April 18, 2018**

**Revise Section 25.2 to read:**

25.2 ~~Applications for Permit~~Reserved.

- ~~A. The application for a Construction Permit shall be made on forms available from the Director at least ninety (90) days prior to the estimated starting date of construction. The director shall act on all applications for a Construction Permit within 90 days.~~

**Redline/~~Strikeout~~**

**Permits: Section 25.3**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions  
April 18, 2018**

**Revise the following paragraphs of Section 25.3 to read:**

- A. Any person planning to operate an air contaminant source constructed or modified in accordance with a ~~Construction~~ construction Permit issued by the director, in Section 25.1, shall apply for and receive from the Director an ~~Operating~~ operating Permit ~~from the Director~~, if applicable, submit a notice of intent and obtain a notice of authorization after initial start-up of ~~this said~~ the air contaminant source. Ninety (90) days shall be allowed for this, provided Section 25.3-C is complied with. If stack sampling has been required as a condition on the construction permit, this time period is extended to sixty (60) days after the stack sampling report is required, provided Section 25.3-C is complied with, except as otherwise allowed in Section 25.70.
- C. Application for an ~~Operating~~ operating Permit shall be made on forms available from the Department and signed by the applicant. Such application for an ~~Operating~~ operating Permit shall be filed with the Director as follows:
1. At least thirty (30) days prior to the expiration of an existing ~~Operating~~ operating Permit. The Director shall act on all applications for ~~an~~ the renewal of an Operating operating Permit within 30 days.
  2. Not more than fourteen (14) days after initial start-up of an air contaminant source constructed or modified in accordance with a construction permit issued by the Director. If stack sampling or other test data has been required as a condition on the construction permit, this time period is extended to the time specified on the construction permit for submittal of the test report(s).
  3. ~~If stack sampling or other test data has been required as a condition on the construction permit, this time period is extended to the time specified on the construction permit for submittal of the test report(s).~~
- G. ~~An Operating Permit is not transferable from one person to another person, from one source to another source, or from one location or facility to another location or facility.~~ Reserved.

- H. ~~The Director may suspend or revoke either a construction or an operating permit if the permit holder fails to comply with the provisions, stipulations, or compliance schedules specified in the permit. Upon permit revocation, if the permit holder fails to take remedial action, he shall become immediately subject to enforcement actions prescribed in these regulations.~~Reserved.
- K. ~~(Reserved)~~The owner or operator of any air contaminant source to which any of the following changes are made, but would not be a modification requiring a construction permit, must notify the Director thirty (30) days before the change is commenced. These changes are:
1. Change in air pollution control equipment,
  2. Change in stack height or diameter,
  3. Change in exit velocity of more than twenty five percent (25%) or exit temperature of more than fifteen percent (15%) (absolute temperature basis).
- L. ~~The fee for the public notice on a minor source operating permit action will be \$75.00.~~Reserved.
- M. No person shall operate an air contaminant source in Knox County without first obtaining from the Director an operating permit ~~from the Director or, if applicable, submitting a notice of intent and obtaining a notice of authorization,~~ except as specifically exempted in Section 25.6. New sources operating with a valid construction permit may operate with the construction permit for the time period specified in Section 25.3-A, except as otherwise allowed in Section 25.70.

**Redline/~~Strikeout~~**

**Permits: Section 25.4**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

Revise Section 25.4 to read:

25.4 ~~Compliance Schedule~~General Provisions

- A. ~~Irrespective of any of~~Notwithstanding the provisions of these regulations, the owner or operator of any air contaminant source shall be responsible for complying with emission regulations as contained in these regulations at the earliest practicable time and for this purpose the Director shall have the authority and responsibility to require compliance with these regulations at an earlier date than indicated where such earlier compliance may reasonably be accomplished. Where compliance with any of these regulations requires a time schedule greater than 18 months from the effective date of these regulations, an acceptable progress report shall be filed with the Director at least semi-annually.
- B. Any person owning or operating a source which tends to discharge air contaminants constructed after October 1, 1969, and prior to the effective date of these regulations, shall be required to have applied for and received a valid ~~Operating permit~~operating Permit from the Director within six (6) months after the effective date of these regulations or as otherwise requested by the Director.
- C. An operating permit, construction permit, or notice of authorization is transferable from one person to another person provided that:
1. Written notification of the ownership change is submitted to the Director no later than thirty (30) days after the change; and
  2. The new owner or operator:
    - i. Does not make any changes to the stationary source that meet the definition of modification as defined in the Knox County Air Quality Management Regulations, and
    - ii. Agrees to abide by the terms of the permit or notice of authorization, Knox County Air Quality Management Regulations, and any documented agreements made by the previous owner to the Director.
- D. No operating permit, construction permit, or notice of authorization is transferable from one air contaminant source to another air contaminant source or from one location to another location. The new operating permit, construction permit, or notice of authorization required by this paragraph will be governed by rules in effect at the time of its issuance.

E. The Director may suspend or revoke any construction permit, operating permit, or notice of authorization if the holder fails to comply with the provisions, stipulations, or compliance schedules specified in the permit or notice of authorization; and the Knox County Air Quality Management Regulations. Upon suspension or revocation of a permit or notice of authorization, if the holder fails to take remedial action, then the holder shall become immediately subject to additional enforcement actions prescribed by law.

**Redline/Strikeout**

**Permits: Section 25.7**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

**Revise the following paragraphs of Section 25.7 to read:**

- A. Fees for permits or notice of authorizations required by Sections 25.7-E.1, 25.7-F, 25.7-G, 25.7-H.1, 25.7-I, and 25.7-J shall be included with the permit application or notice of intent. The fee to be paid shall be the sum of the fees for each applicable type of permit application or notice of intent and each action deemed necessary to evaluate the permit application or notice of intent.
- B. Any fee required by Sections 25.7-E.2, ~~and 25.7-E.3~~, and 25.7-H.2 shall be billed to the applicant. Payment of all fees thus billed shall be made within thirty (30) days of the invoice date. Permits for sources still delinquent after 60 days will be voided and will not be reissued until all accrued fees are paid and a new application is submitted.
- C. Permits or notice of authorizations may not be issued if the Department has not received all fees required by these regulations.
- E. Construction Permit
  1. Any person making application to this Department for a construction permit shall pay an initial filing fee of \$150.00 per fuel burning equipment, incinerator, and process ~~equipment~~ emission source being constructed. This filing fee shall not be refundable if a permit is denied or if the application is withdrawn, nor shall it be applied to any subsequent application or notice of intent.
  2. The applicant shall be assessed a fee for any public notice. The fee for the public notice on a minor source permit action will be \$75.00. The fee for a major source permit action will be assessed at the actual cost of publishing the notice.
  3. In addition to the fees in Sections 25.7-E.1 and 25.7-E.2, the largest of the following fees, if applicable, shall be paid by the applicant:
    - a. Prevention of Significant Deterioration (PSD) Review - \$2,000.
    - b. Major Source or Major Modification Review requiring Modeling, except PSD - \$1,500.

- c. Minor Source or Minor Modification Review requiring Modeling - \$400.
- d. New Source Performance Standard (NSPS) Source Review - \$400.
- e. National Emission Standard for Hazardous Air Pollutant (NESHAP) Source Review - \$300.

F. Operating Permits

Beginning January 1, 2017 any person making application to the Department for an Operating Permit shall pay a fee of \$250. This fee shall not be refundable if a permit is denied or if the application is withdrawn, nor shall it be applied to any subsequent application. No fee is required for the renewal of an existing operating permit.

H. Permit Modification

1. Any person making application to the Department for the modification of a permit shall pay a fee of \$150. This fee shall not be refundable if a permit is denied or if the application is withdrawn, nor shall it be applied to any subsequent application. No fee is required for modifications of a permit that:
  - a. to correct clerical, typographical or calculation errors;
  - b. change the ownership of an air contaminant source provided the new owner or operator does not make any changes to the stationary source that meet the definition of modification as defined in the Knox County Air Quality Management Regulations;
  - c. incorporates into an existing operating permit the requirements from a construction permit; or
  - d. incorporates into an existing operating permit the requirements from a modification which did not require a construction permit pursuant to paragraph F. of the definition of a "modification" contained in Section 13.1.
2. The applicant shall be assessed a fee for any public notice. The fee for the public notice on a minor source permit action will be \$75.00. The fee for a major source permit action will be assessed at the actual cost of publishing the notice.

I. ~~Reserved.~~ Notice of Authorization

Any person submitting a notice of intent to the Department for a notice of authorization shall pay a fee of \$150. This fee shall not be refundable if a notice of authorization is denied or if the notice of intent is withdrawn, nor shall it be applied to any subsequent application or notice of intent. No fee is required for an air contaminant source operating under an existing operating permit submitting a notice of intent to the Department for a notice of authorization.

**Redline/~~Strikeout~~**

**Permits: Section 25.9**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

**Revise the following definitions in Section 25.9-A to read:**

13. “TM-A Source” means a minor source (as defined in Section 25.9-B.6) which operates under an operating permit, has a potential to emit of less than 25 tons per year for any regulated air pollutant, and is not a GDF source (as defined in Section 25.9-B.15).
14. “TM-B Source” means a minor source (as defined in Section 25.9-B.6) which operates under an operating permit, has a potential to emit of equal to or greater than 25 tons per year but less than 100 tons per year for any regulated air pollutant, and is not a GDF source (as defined in Section 25.9-B.15).
16. “PBR-A Source” means a synthetic minor source (as defined in Section 25.9-B.11) which accepted federally enforceable permit limitations contained in ~~the Knox County Air Quality Management Regulations~~ Sections 25.10 or 25.11 and has a potential to emit of less than 25 tons per year for any regulated air pollutant.
17. “PBR-B Source” means a synthetic minor source (as defined in Section 25.9-B.11) which accepted federally enforceable permit limitations contained in ~~the Knox County Air Quality Management Regulations~~ Sections 25.10 or 25.11 and has a potential to emit of equal to or greater than 25 tons per year but less than 80 tons per year for any regulated air pollutant.

**Add the following definitions to Section 25.9-A:**

21. “NOA-A Source” means a minor source (as defined in Section 25.9-B.6) which only operates stationary emergency internal combustion engines under a notice of authorization.
22. “NOA-B Source” means a minor source (as defined in Section 25.9-B.6) which only operates source categories other than a gasoline dispensing facility under a notice of authorization and is not a NOA-A source (as defined in Section 25.9-B.21).

23. "NOA-C Source" means a minor source (as defined in Section 25.9-B.6) which only operates under a notice of authorization and is not a NOA-B source (as defined in Section 25.9-B.22).

**Revise the following paragraphs in Section 25.9 to read:**

B. General Provisions

1. A source must meet all provisions and limitations specified in the permit(s) or notice of authorization for construction and operation of the source.
2. On or after the effective date of these regulations, all annual emission fees must be paid in full by the due date.
3. Any source exempted in Section 25.6 is exempt from the annual emission fee requirements of this Section 25.9. However, the emissions from any exempt source must comply with all rules and regulations of the Knox County Department of Air Quality Management.
4. Reserved.
5. Reserved.
6. Reserved.
7. Reserved.
8. Reserved.

C. Reserved.

E. Annual Emission Fees for Minor Sources

1. An owner or operator of a minor source must pay an annual emission fee to the Department. The annual emission fee shall be based on the minor source's ~~type~~ category as defined in Sections 25.9-B.13 through 25.9-B.15 and 25.9-B.21 through 25.9-B.23.

2. Beginning January 1, 2017 all minor source annual emission fees are due and payable to the Department in full by September 30 of each year. Beginning in January 1, 2018 all GDF source and NOA-C source annual emission fees are due and payable to the Department in full by May 31 of each year.
3. A newly constructed minor source beginning operation on or after January 1 shall not be assessed an annual emission fee during the remainder of the annual accounting period.
4. Beginning January 1, 2017 minor sources shall be assessed an annual emission fee in accordance with the following table. Each succeeding annual accounting period will have a new annual emission fee derived by adjusting the previous annual accounting period's annual emission fee according to the Consumer Price Index published annually by the United States Department of Labor.

Source Category	Annual Emission Fee
GDF Source	\$350.00
TM-A Source	\$250.00
TM-B Source	\$750.00
<u>NOA-A Source</u>	<u>\$150.00</u>
<u>NOA-B Source</u>	<u>\$250.00</u>
<u>NOA-C Source</u>	<u>\$350.00</u>

5. Upon mutual agreement of the minor source and the Director, a more restrictive regulatory requirement may be established to reduce the potential to emit of the source and thus the annual emission fee. The more restrictive requirement must be specified on the permit, and must include the method used to determine compliance with the limitation. The documentation procedure to be followed by the source owner or operator must also be included to insure that the limit is not exceeded. Exceedances of the mutual agreement limit will be considered by the Department as circumvention of the required annual emissions fee and a matter in which enforcement action must be pursued.

6. To reduce the amount of the fee as provided in Section 25.9-F.5, the minor source must submit a letter to the Department requesting the reduced emissions limit or limits and providing the method or methods that will be used to ensure compliance with the requested limit or limits. This request must be received at least ninety (90) days prior to the applicable due date of the annual emission fee. Any request received after that deadline may only apply to the fee for the following year and not for the year being invoiced.

7. Reserved.

8. Reserved.

9. Reserved.

10. Reserved.

**Redline/~~Strikeout~~**

**Permits: Section 25.10**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

**Revise Section 25.10 to read:**

25.10 Synthetic Minor Source Permit by Rule

A. General Requirements:

1. Accepting a Synthetic Minor Source Permit by Rule does not exempt that facility from the obligation to apply for and obtain a Construction (SIP) Permit and/or an Operating (SIP) Permit.
2. The Director may, after notice and opportunity for public participation, issue a Synthetic Minor Source Permit by Rule covering numerous similar sources. Any Synthetic Minor Source Permit by Rule shall identify criteria and standards by which sources may qualify for the Synthetic Minor Source Permit by Rule. To sources that qualify, the Director may grant the conditions and terms of the Synthetic Minor Source Permit by Rule. Notwithstanding the shield provisions of 40 CFR, Part 70.5(6)(f), the source shall be subject to enforcement action for operation without a Part 70 permit if the source is later determined not to qualify for the conditions and terms of the Synthetic Minor Source Permit by Rule.

B. Synthetic Minor Source Permit by Rule Standards:

1. Fuel-burning equipment burning natural gas/LPG and/or distillate oil:
  - a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Facilities for which the only source of regulated air pollutants is from combustion equipment (excluding turbines and other internal combustion engines) permitted to burn natural gas/LPG and/or distillate oil exclusively shall be deemed to have a Synthetic Minor Source Permit by Rule if the conditions in paragraphs B.1.a(1) and B.1.a(2) are met. Facilities that have potential emissions of greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs B.1.a(1) and B.1.a(2) shall obtain a Part 70 permit.
    - (1) Monitoring and record keeping: A log of the monthly fuel use must be kept. The total fuel usage for the previous twelve consecutive months must be included in each month's log. Consumption of distillate oil shall

be recorded in gallons, and consumption of natural gas/LPG shall be recorded in cubic feet. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Fuel Usage: Facility fuel usage shall be limited to 900 million cubic feet of natural gas (or 9 million gallons of LPG) and 1.6 million gallons of distillate oil during any twelve consecutive months.

b. A source may operate under this rule, provided that at least 90 percent of the stationary source's emissions in every 12 month period are associated with the operations limited by the rule.

2. Fuel burning equipment burning natural gas/LPG and/or residual oil:

a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Facilities for which the source of regulated air pollutants is from equipment (excluding turbines and other internal combustion engines) permitted to burn only natural gas/LPG and/or residual fuel oil exclusively shall be deemed to have a Synthetic Minor Source Permit by Rule if the conditions in paragraphs B.2.a(1) and B.2.a(2) are met. Facilities that have potential emissions greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs B.2.a(1) and B.2.a(2) shall obtain a Part 70 permit.

(1) Monitoring and record keeping: A log of the monthly fuel use must be kept. The total fuel usage for the previous twelve consecutive months must be included in each month's log. Consumption of residual fuel oil shall be recorded in gallons, and consumption of natural gas/LPG shall be recorded in cubic feet. This log shall be kept for five years past the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Fuel usage: Annual facility fuel usage shall be limited to 1,000 million cubic feet of natural gas (or 10 million gallons of LPG) and 400,000 gallons residual fuel oil during any twelve consecutive months.

b. A source may operate under this rule, provided that at least 90 percent of the stationary source's emissions in every 12 month period are associated with the operations limited by the rule.

3. On-site power generation:

- a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Facilities that operate fuel-burning equipment for purposes of generating emergency power, peaking power, and/or temporary on-site power and where such equipment burns natural gas/LPG and/or #2 fuel oil/diesel exclusively shall be deemed to have a [Synthetic Minor Source](#) Permit by Rule if the conditions in paragraphs [B.3.a\(1\)](#) and [B.3.a\(2\)](#) are met. Facilities that have potential emissions of greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs [B.3.a\(1\)](#) and [B.3.a\(2\)](#) shall obtain a Part 70 permit.

(1) Monitoring and record keeping: A log of the monthly total horsepower hours for the facility based on the number of hours of operation of each unit per month times the maximum horsepower rating of that unit must be included in each month's log. The total horsepower hours for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Power production limits: A facility's power generation is limited to a total of no more than 6.5 million horsepower hours during any twelve consecutive months.

4. Concrete mixing plants:

- a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Concrete mixing plants shall be deemed to have a [Synthetic Minor Source](#) Permit by Rule if the conditions in paragraphs [B.4.a\(1\)](#) and [B.4.a\(2\)](#) are met. Facilities that would otherwise have potential emissions of greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs [B.4.a\(1\)](#) and [B.4.a\(2\)](#) shall obtain a Part 70 permit.

(1) Monitoring and record keeping: A log of the monthly production must be kept. The total production for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Annual production: Production on the plant site shall be limited to 600,000 cubic yards during any twelve consecutive months.

5. Hot mix asphalt plants:

a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Hot mix asphalt plants shall be deemed to have a Synthetic Minor Source Permit by Rule if the conditions in paragraphs B.5.a(1) and B.5.a(2) are met. Facilities that would otherwise have potential emissions of greater than major source thresholds or are not able to meet the conditions in paragraphs B.5.a(1) and B.5.a(2) shall obtain a Part 70 permit.

(1) Monitoring and record keeping: A log of the monthly production must be kept. The total production for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Annual production:

(A) New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only shall limit production to 320,000 tons during any twelve consecutive months, or

(B) New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, residual oil and coal in any combination shall limit production to 160,000 tons during any twelve consecutive months.

6. Reserved.

7. Coating operations:

a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Coating operations shall be deemed to have a Synthetic Minor Source Permit by Rule if the conditions in paragraphs B.7.a(1) and B.7.a(2) are met. Facilities that

have potential emissions of greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs [B.7.a\(1\)](#) and [B.7.a\(2\)](#) shall obtain a Part 70 permit.

(1) Monitoring and record keeping: A log of the monthly consumption of VOC and/or Hazardous Air Pollutant containing material must be kept. The total consumption for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to coatings, thinners, and solvents) shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Annual consumption: The consumption of any VOC and/or Hazardous Air Pollutant emitting materials by the facility (including but not limited to coatings, thinners, and solvents) shall be limited to 20,000 pounds during any twelve consecutive months.

8. Printing operations:

a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Printing operations shall be deemed to have a [Synthetic Minor Source](#) Permit by Rule if the conditions in paragraphs [B.8.a\(1\)](#) and [B.8.a\(2\)](#) are met. Facilities that have potential emissions of greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs [B.8.a\(1\)](#) and [B.8.a\(2\)](#) shall obtain a Part 70 permit.

(1) Monitoring and record keeping: A log of the monthly consumption of VOC and/or Hazardous Air Pollutant containing material must be kept. The total consumption for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to inks, thinners, and solvents) shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

(2) Annual consumption: The consumption of any VOC and/or Hazardous Air Pollutant emitting materials (including but not limited to inks, thinners, and solvents) by the facility shall be limited to 20,000 pounds during any twelve consecutive months.

9. Reserved.

10. Fiberglass molding and forming operations:

- a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Fiberglass molding operations shall be deemed to have a [Synthetic Minor Source](#) Permit by Rule ~~ef-if~~ the conditions in paragraphs [B.10.a\(1\)](#) and [B.10.a\(2\)](#) are met. Facilities that have potential emissions greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs [B.10.a\(1\)](#) and [B.10.a\(2\)](#) shall obtain a Part 70 permit.

- (1) Monitoring and record keeping: A log of the combined monthly usage of polyester resin and gel coat must be kept. The previous twelve consecutive month's material usage total must be included in each month's log. Records for the combined weight of polyester resin and gel coat shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

- (2) Material usage: Annual facility material usage shall be limited to 89,000 pounds during any twelve consecutive months for any combination of hand and spray lay-up operations. Annual facility material usage shall be limited to 120,000 pounds during any twelve consecutive months for spray lay-up operations only. This material input must represent the combined weight of polyester resin and gel coat used during any twelve consecutive months.

11. Ethanol distribution operations:

- a. Notwithstanding any other provision of these regulations, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing federally enforceable permit conditions limiting the source to below Part 70 major source thresholds. Ethanol distribution operations shall be deemed to have a [Synthetic Minor Source](#) Permit by Rule ~~ef-if~~ the conditions in paragraphs [B.11.a\(1\)](#) and [B.11.a\(2\)](#) are met. Facilities that have potential emissions greater than major source thresholds even after this regulation is met or are not able to meet the conditions in paragraphs [B.11.a\(1\)](#) and [B.11.a\(2\)](#) shall obtain a Part 70 permit.

- (1) Monitoring and record keeping: A log of the monthly ethanol throughput must be kept. The previous twelve consecutive month's throughput total

must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Department.

- (2) Material throughput and emission controls: Annual facility ethanol throughput shall be limited to 5 million gallons during any twelve consecutive months. The loading and unloading of ethanol must make effective use of Stage I vapor recovery (vapor balance) system.

### C. Additional Requirements

1. Each source is responsible for obtaining a copy of its applicable general permit and displaying the permit or a legible photocopy in a conspicuous place on or near the potential air contaminant source.
2. Prior to the effective date of Section 25.70, Major Source Operating Permits/Title V, additional and/or more detailed EPA approved provisions will be included and required for each Synthetic Minor Source Permit By Rule Standard and applicable facility, so as to meet all Federal enforceability requirements."
3. Sources subject to these rules must submit annual reports and compliance certifications as specified by the Department and addressing the applicable requirements, terms, and conditions of each standard.
4. Sources must submit a written report within one week to the Department containing the details of any exceedance of any applicable operational limits.
5. A source operating under a Synthetic Minor Source Permit by Rule must submit a written statement verifying this status to the Department. The Department will list such a status on the source's (SIP) operating permit or in other formal documentation. This documentation must be maintained at the source site. Such a source will subsequently be subject to enforcement actions for any non-compliance with these provisions unless the source has first obtained a formal release through a Part 70 or some other federally enforceable permit from the Department.

**Redline/Strikeout**

**Permits: Section 25.12**

**Knox County Air Pollution Control Board**

**Proposed Regulatory Revisions**

**April 18, 2018**

**Add the following Section 25.12:**

25.12 True Minor Source Permit-by-Rule

A. Definitions

As used in this Section, all terms not defined by this paragraph shall have the meaning given to them in Section 13.0.

1. "Permit-by-rule" means authorization from the Director for the owner or operator to construct, modify, or operate an eligible true minor air contaminant source if such construction, modification, or operation is in compliance with Section 25.12 and Knox County Air Quality Management Regulations specifically applicable to such source.
2. "Notice of authorization" or "NOA" means a confirmation from the Director of authorization to construct, modify, or operate a minor air contaminant source under a permit-by-rule.
3. "Notice of intent" or "NOI" means a written notification requesting authorization under a permit-by-rule.

B. Applicability

1. a. An owner or operator of a source that is a member of a category of air contaminant sources listed in Section 25.12-E may obtain a notice of authorization under a permit-by-rule to construct, modify, or operate the source instead of obtaining an individual construction or operating permit for such construction, modification, or operation if the air contaminant source is eligible. An eligible air contaminant source is an air contaminant source that is not excluded by Section 25.12-D and meets the qualifying criteria established by the applicable permit-by-rule. The Director may, with cause, refuse to issue a notice of authorization and require an owner or operator to follow the standard permitting procedures as otherwise required by Section 25.0.
- b. An owner or operator remains authorized pursuant to an NOA to construct, modify, or operate an air contaminant source under a permit-by-rule if the air contaminant source continues to be eligible and the owner or operator is in compliance with Section 25.12 and the applicable permit-by-rule. When

required in writing by the Director, the owner or operator of a source that fails to meet the qualifying criteria established in the applicable permit-by-rule or fails to comply with Section 25.12 and the applicable permit-by-rule shall submit an application for an individual construction or operating permit or both.

2. Section 25.12 does not exempt any air contaminant source from any requirements of the federal Clean Air Act, the Knox County Air Quality Management Regulations (including being considered for purposes of determining whether a facility constitutes a major source or is otherwise regulated under the Knox County Air Quality Management Regulations), or any requirement to list insignificant activities and emission levels in a Title V permit application. In addition, this rule does not relieve the owner or operator from the requirement of including the emissions associated with the exempt sources in any major NSR permitting action.

### C. General provisions

The provisions of this paragraph apply to any owner or operator constructing, modifying, or operating an air contaminant source under an NOA unless otherwise stated in a permit-by-rule specific to such source.

#### 1. Recordkeeping requirements

a. The owner or operator shall collect and maintain the records required for each air contaminant source to which an NOA applies. These records shall be retained in the owner or operator's files for a period of not less than five (5) years and shall be made available to the Director or any authorized representative of the Director for review upon request.

b. For the purposes of this subparagraph, records include, but are not limited to, any monitoring data, testing data, and support information required by the applicable permit-by-rule and shall be retained for a period of five (5) years from the date the record was created. Support information includes, but is not limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the specific permit-by-rule. Records may be maintained in computerized form.

#### 2. Notification requirements for new installations

a. The owner or operator of an air contaminant source to be installed on or after the effective date of a permit-by-rule electing to be authorized to construct, modify, or operate under the permit-by-rule shall submit an NOI in a form and manner prescribed by the Director prior to installation of the air contaminant source. The NOI must be submitted to the Director not less than seven (7) days prior to the estimated start date of construction, and shall contain the following information, at a minimum:

(1) The owner's or operator's name and the facility contact's name;

(2) The facility mailing address and telephone number;

(3) The location of the air contaminant source(s);

(4) A description of the air contaminant source(s), including any pollution control(s);

(5) A statement by the owner or operator that indicates the permit-by-rule under which construction, modification, or operation of the air contaminant source will be authorized;

(6) The estimated start date of construction; and

(7) A signed statement that the proposed air contaminant source(s) qualifies to be covered under this rule and the applicable permit-by-rule.

3. Notification requirements for existing permitted sources

a. An owner or operator of an air contaminant source which is operating under an existing construction or operating permit may continue to operate in compliance with that permit or may submit an NOI in the form and manner prescribed by the Director that contains at a minimum the applicable information required by the Director under Section 25.12-C.3.a and a written notification to the Director that the owner or operator intends to relinquish the existing permit or permits.

b. The Director may issue the requested NOA and allow the owner or operator to relinquish a construction or operating permit pursuant to this paragraph if

an NOA may be issued to the permittee pursuant to Section 25.12-B and the Director determines that the relinquishment will not result in the violation of any applicable laws. When an owner or operator submits an NOI and relinquishment notification pursuant to this paragraph, the Director, without prior hearing, shall make a final determination on the relinquishment notification and either issue the NOA and allow the relinquishment of the existing permit or permits or inform the permittee in writing of the Director's denial. The NOA is effective on the date the existing permit is relinquished.

#### 4. Reporting requirements

a. The owner or operator shall submit required reports in the following manner:

(1) Reports of any monitoring or recordkeeping information required by a permit-by-rule shall be submitted to the Department at the physical address or e-mail address provided in the notice of authorization or as specified in an official notification from the Department.

(2) A written report of any deviations (excursions) from emission limitations, operational restrictions, qualifying criteria, and control equipment operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in the permit-by-rule shall be submitted to the Department within thirty (30) days of the date the deviation occurred. The report shall describe the specific limitation or operational restriction exceeded, the probable cause of such deviation, and any corrective actions or preventive measures that have been or will be taken.

#### 5. Scheduled maintenance/malfunction reporting

a. Any scheduled maintenance of air pollution control equipment shall be performed in accordance with the requirements of the applicable permit-by-rule. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the Department in accordance with Section 34.0. Except as provided in Section 34.0, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution

control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is served by such control system(s).

6. Any person in possession of a notice of authorization under a permit-by-rule shall ensure that the notice of authorization is readily available for inspection by the Director or the Director's designated representative on the operating premises or an alternate location approved by the Director.

D. Exclusions from eligibility

1. No stationary source with the potential to emit one hundred (100) tons per year or more of any air pollutant subject to regulation is eligible to be authorized under a permit-by-rule.
2. No stationary source with the potential to emit ten (10) tons per year or more of a single hazardous air pollutant or twenty-five (25) tons per year or more of any combination of hazardous air pollutants is eligible to be authorized under a permit-by-rule.
3. Stationary sources of nitrogen oxides or volatile organic compounds located in areas designated serious, severe, or extreme non-attainment for ozone by the U.S. EPA that otherwise would be eligible to be authorized under a permit-by-rule but have the potential to emit ten (10) tons per year or more of these precursor pollutants cannot be authorized under a permit-by-rule.

E. Source categories potentially eligible for permit-by-rule:

1. Gasoline dispensing facilities (GDFs).
2. Emergency stationary internal combustion engines where the combined total heat input rate at each location does not exceed 4.5 million BTU/hr. An emergency stationary internal combustion engine is an:
  - a. Emergency stationary reciprocating internal combustion engine subject to the provisions of Section 35.2.2-ZZZZ;
  - b. Emergency stationary compression ignition internal combustion engine subject to the provisions of Section 40.2-III; or

c. Emergency stationary spark ignition internal combustion engine subject to the provisions of Section 40.2-JJJJ.

3. Auto body refinishing operations, which includes paint stripping and surface coating of motor vehicles and mobile equipment, that do not complete more than 50 jobs per week (a job is defined as the total area to be refinished on an automobile body or light duty truck and may include the entire vehicle). However, no emission source subject to Section 46.0 shall qualify for permit-by-rule.

F. Source category specific provisions

1. Reserved.

2. Reserved.

3. The owner or operator of an auto body refinishing operation shall:

a. maintain a record of the number of jobs performed per week; and

b. if the auto body refinishing operation is exempt from the requirements of Section 35.2.2-HHHHHH, keep the purchase records, invoices, and safety data sheets (SDS) of the coatings consumed by the auto body refinishing operation.